MR. KURANDIPALLIL R. RAMAN PILLAI (*Quilon*): എന്റെ പ്രമേയത്തിലടങ്ങിയിരിക്കുന്ന തത്വങ്ങളെ വേണ്ടുംവണ്ണം പഠിച്ചാലോചിക്കാമെന്നു ഫിനാൻഷ്യൽ സിക്രട്ടറി പറഞ്ഞിരിക്കുന്നതുകൊണ്ട് അതിനെവേട്ടിനിടണമെന്നു എനിക്കഭിപ്രായമില്ല. ഹൈക്കോടതി വിപരീതാഭിപ്രായം പുറപ്പെടുവിച്ചാലും ജനങ്ങളുടെ സൌകര്യത്തിനുവേണ്ടി ഗവർണ്മെൻറു ഒരു ശുപാർശയും രണ്ടു ശുപാർശകളും നടപ്പിൽ വരുത്താമെന്നു ഗവർണ്മെൻറിൽ നിന്നു പറയുന്നപക്ഷം ഞാൻ എന്റെ പ്രമേയത്തെ പിൻവലിക്കാം.

The motion was, by leave, withdrawn.

Motion 242.

The following motion was not moved :—

MR. M. N. PILLAI :

242. To reduce the total allotment of Rs. ·90 lakh under Demand VII by Rs. 10.

PRESIDENT : I shall now put Demand VII Stamps—to the vote of the House. The question is that a sum not exceeding Rs. ·90 lakh, under Demand VII be granted.

The grant was made.

DEMAND VIII—REGISTRATION Rs. 2·77 LAKHS.

MR. K. GEORGE (*Chief Secretary to Government*) : Sir, I rise to move for a grant not exceeding Rs. 2·77 lakhs under Demand VII—Registration.

Motion 243.

The following motion was deemed not to have been moved as the member was absent :—

MR. TARIATU KUNJITOMMAN :

243. To reduce the allotment of Rs. 2,000 for travelling allowance by Rs. 5.

Motion 244.

The following motion was not moved :—

MR. A. J. JOHN :

244. To reduce the allotment of Rs. 2,000 for travelling allowance by Rs. 5.

Motion 245.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*) : Sir, I beg to move the following motion :

245. To omit the allotment of Rs. 100 for law charges.

Sir, my contention is that we do not know what are the law charges the Registration department has to meet. From the budget, we find that, for 1101, nothing has been spent on that account. There was a provision of Rs. 100 for this year and I do not know whether any amount has been spent out of that also. I find yet Rs. 100 has been allotted for this purpose for 1103 and we have not been informed why the Registration Department has to meet law charges. It may be

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argued that, if there is no necessity, the amount will not be spent. But my submission is that, if the allotment is made, it is an invitation held out for creating necessities for the amount being spent. So, if any case arises, the best course is to ask the Police Department that charges the case to meet the expenditure. If the case is committed, I do not think there is any necessity for any expenditure as there are Sirkar Vakils to conduct the cases.

MR. K. GEORGE (*Chief Secretary to Government*): Occasionally, the Registration Department has to conduct cases under the Chitties and the Registration Regulations. This small amount that has been provided under Law Charges is, I believe, for the stamp duty on applications made to the court. However, if the member is particular, I am prepared to cut off that amount.

MR. T. J. MATTHEW (*Changanacherry* cum *Peermade*): I withdraw my motion.

The motion was, by leave, withdrawn.

Motion 246.

The following motion was not moved :—

MR. T. J. MATTHEW :

To reduce the allotment of Rs. 19,700 for Direction by Re. 1.

Motion 247.

MR. A. J. JOHN (*Vaikam*): Sir, I beg to move the following motion :—

247. To reduce the allotment of Rs. 19,700 for Direction by Rs. 5.

Sir, my object in sending in this motion is to bring to the notice of the Government the fact that during the recent re-organisation and re-distribution of the various Sub-Registry offices, certain people are put to much difficulty and inconvenience. I might cite one instance. The *pakuthi* of Talayazham was under the Sub-Registry office at Vaikam, but under the present arrangement, it is under the Sub-Registry office at Kadutturutti. The distance from Talayazham to Vaikam is only three miles, but the distance from Talayazham to Kadutturutti will be not less than 8 miles. During winter, it is highly difficult also to go to that office. The people there submitted a petition to the Government and sent various resolutions and approached the Government and the Director of Registration with a memorial. Even then, nothing has been done. Therefore I say that the pakuthi should again be retransferred to the jurisdiction of the Vaikam Sub-Registry office.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, the re-distribution of the jurisdiction of the various Sub-Registry offices was sanctioned from the 1st Chingam this year. It was necessary because we had to give adequate work to the new offices that were opened. I admit that there have been some cases of hardship by this redistribution and a few memorials and petitions have been received by the Government in that matter. They have been

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forwarded to the present Director of Registration and he has promised to submit proposals to the Government so as to remedy the inconveniences as far as possible. When his proposals come to the Government, they will arrange, as far as possible, to remedy the grievances in the matter.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Is there any rule that all the *karas* in a *pakuthi* should be in the jurisdiction of one Sub-Registrar?

MR. K. GEORGE (*Chief Secretary to Government*): I think a *pakuthi* which is the unit of administration cannot be subdivided.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Will it not be convenient if changes are effected wherever necessary?

MR. K. GEORGE (*Chief Secretary to Government*): It is very difficult to divide a *pakuthi* and there are no landmarks for a *kara*.

MR. K. I. JOSEPH: (*Minachil* cum *Devicolam*): There are.

MR. K. GEORGE (*Chef Secretary to Government*): *Pakuthi* is the recognised unit of administration and until a new settlement comes, I do not think it is feasible to divide it.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Are there not geographical limits for the *kara*?

MR. K. GEORGE (*Chief Secretary to Government*): There may be, but the Government recognise *pakuthi* as the unit of administration.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): My question is whether there are not geographical limits for *karas*?

MR. K. GEORGE (*Chief Secretary to Government*): Not any *recognised* geographical limits.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Then, how is it that, in the electoral rolls, we see along with the name of a person his *kara* also is given?

MR. K. GEORGE (*Chief Secretary to Government*): That is for convenience.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Are not the survey numbers continuous for each pakuthi?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Will the Government kindly give instruction to the officer concerned to consult the people or their representatives in the matter of arriving at a decision in regard to the re-distribution of the jurisdiction of Sub-Registry offices?

MR. K. GEORGE (*Chief Secretary to Government*): One trouble is that the people of one *pakuthi* may want to come under one particular office and the neighbouring *pakuthi* may wish to come under another office. In some cases, it is very difficult to come to a discision which would satisfy both the parties.

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MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Is there any harm in that?

MR. K. GEORGE (*Chief Secretary to Government*): I suppose the Director consults the people.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): May I inform the member that the officers do not do that?

MR. K. GEORGE (*Chief Secretary to Government*): The Director has to take into consideration various aspects of the matter and he is not debarred from consulting the people.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Where is the harm in giving intructions to him?

MR. K. GEORGE (*Chief Secretary to Government*): He must be satisfied as to the real needs of the people before he makes his report and he is expected to record his honest opinion.

MR. A. J. JOHN (*Vaikam*): Will the Government be kind enough to ask the Director to expedite the matter?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. A. J. JOHN (*Vaikam*): On that assurance, I withdraw my motion.

The motion was, by leave of the House, withdrawn.

Motion 248.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): Sir, I beg to move the following motion:—

248. To reduce the allotment of Rs. 19,700 for Direction by Rs. 10.

Sir, the object of my motion is to draw the attention of the Government to certain irregularities prevailing in certain Sub-Registry offices and to the fact that fees for the registry of a document at a residence have to be paid separately by each party executing the deed and to other matters in which the people are unnecessarily burdened. It is a general complaint that in several Sub-Registry offices, especially after the advent of the Nayar and the Ezhava Regulations—I think the Vellala Regulation has not come into full operation – parties are put to very great difficulties. They have also often to pay money to some of the officers in the Sub-Registry offices if they want a document to be registered on the day they go to the office. In one case at least, I know that certain grave irregularities were complained about a Sub-Registrar at Mavelikara in 1100, if I remember correct, by signed petitions. Then the District Registrar went to the place and conducted an enquiry. But in conducting the enquiry, it seems that the District Registrar, more or less, took part with the Sub-Registrar and allowed a vakil to cross examine the complainants and these people were not allowed to be represented by a vakil. Those who were interested in the matter appealed to the Director also. After all, nothing came about it and as the complainants were not in a position to press the matter to the higher authorities, the matter had to be dropped.

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[Mr. G. Raman Menon.]

That shows that the higher officials are not sympathetic towards the people but they care more or less for their subordinates when the interests of the public alone are concerned. Of course, the higher officials very often deal cruelly with their subordinates if they have any particular ends in view. I have heard that in making appointments to vacancies in the department, new applicants are preferred when persons with equal qualifications and greater service are in the department itself serving in a subordinate capacity. Instead of promoting them, new men are appointed as Sub-Registrars. All these things are demoralising to the subordinates of the department. The Government should look into these matters. If the subordinates find that their promotions and prospects depend not upon the proper discharge of their duties to the public but upon currying favour with the superior officers, then the whole thing is demoralising and the people cannot expect that their complaints will be properly looked into or the work will be justly done. I think that is one of the reasons why there is a wide-spread complaint among the people that, in the Sub-Registry office, irregularities are going on. Even money is received for the registering of documents in time. So much with regard to irregularities.

Then, as regards fees for the registry of documents at residences I have to bring this point to the notice of the Government. The object of the Registration Department should not be to make a revenue for the Government but to safeguard the interests of the people by giving all facilities in the way of proper documents being made for the transfer of properties and other things so as to prevent foul practices. That is the object. So, the Government should not make it a point to squeeze as much money as is possible from this department. A more liberal policy upon that point is required. Of course, if the Sub-Registrar has to register a document at a residence, he has to travel only once even if there are ten parties. In such cases, I think for the same documents only one set of fees should be realised although there are more than one party. With these words, I place the motion for the consideration of the House.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, two matters have been brought forward by Mr. Raman Menon in connection with this motion. He draws the attention of the Government to the fact that irregularities are prevailing in certain Sub-Registry offices. He also draws attention to the fact that there are inconveniences and a sort of over-taxation in the case of documents executed in residences. I will first deal with the question of irregularities. Mr. G. Rama Menon said that irregularities are now prevalent due to the operation of the Nayar and the Ezhava Regulations. But the case cited has reference to 1100. I believe, at that time, the Nayar Regulation was not in operation. At any rate, to cite a single instance which occurred sometime in 1100 and to draw an inference from that to the prejudice of the department is, I consider, hardly fair. If irregularities are now prevalent, it is the duty of every one who knows of them to bring them to

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the notice of the Government or of such other authorities as are appointed to control the department. Sir, it is easy to rely on rumours and hearsays and make such general charges. In the first place, if a Sub-Registrar is corrupt—I suppose I might use the word corrupt, because the charge amounts to that—I would ask the parties why they cannot keep their money in their own pocket and not comply with the illegal demands of the Sub-Registrar. It is no good to pay and then complain. They should not pay. That is my first point. Of course, I hold in abhorrence all those who take illegal gratifications and if specific cases are brought to the notice of the Government, I am sure the Government will take strong disciplinary action against such officers.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): What should the ordinary people do when they meet with difficulties?

MR. K. GEORGE (*Chief Secretary to Government*): They should complain.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): To whom should they complain?

MR. K. GEORGE (*Chief Secretary to Government*): To the superior officers.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): May I know how many months it will take for a complaint to be disposed of?

MR. K. GEORGE (*Chief Secretary to Government*): It will not be many months at all.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): On an average, how many months will it take?

MR. K. GEORGE (*Chief Secretary to Government*): It will not take many months.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): How many weeks then?

MR. K. GEORGE (*Chief Secretary to Government*): If he can prove that it is a complaint of illegal gratification, then it could be disposed of very easily.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Suppose one goes to a Sub-Registrar's office. The Sub-Registrar refers to his clock and says that since it is 4 o'clock he cannot take the document. According to the other clocks it may not be 4 at all. Then should he not wait for the next day?

MR. K. GEORGE (*Chief Secretary to Government*): The Sub-Registrar transacts business according to his clock. The man should wait for the next day.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Suppose he meets with the same difficulty the next day also?

MR. K. GEORGE (*Chief Secretary to Government*): He should go sufficiently early to prevent that. Does the member mean that he should therefore pay money? If the same trouble is unnecessarily caused, he can complain to the superior authorities.

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MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): The disposal of complaints will take rather a long time and the poor man will be put to difficulties. So, I ask whether it is not better for the Government themselves to take necessary action to prevent such things?

MR. K. GEORGE (*Chief Secretary to Government*): If specific complaints are made, it will be done.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): When a responsible member of the Council makes a general complaint, is it not the duty of the Government to enquire whether their officers are acting honestly or not? Even without the complaint, should they not see that the officers are doing their duty properly?

MR. K. GEORGE (*Chief Secretary to Government*): The Government expect everybody to act in proper manner.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Is it only a question of expectation? Is there not a duty on the part of the Government to enquire into the matter more closely in the light of the allegations raised by Mr. Raman Menon?

MR. K. GEORGE (*Chief Secretary to Government*): The Director of Registration is an inspecting officer and the District Registrars are also inspecting officers. The people can complain to those officers of any irregularities and they will enquire into them.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): In the light of the fact that a responsible member of the Council said that corruption is still going on, I ask whether the Chief Secretary does not consider that better inspection should be made?

MR. K. GEORGE (*Chief Secretary to Government*): I do not admit that the inspection is unsatisfactory.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Will not the Government look into the matter more closely in the light of what has been said by Mr. Raman Menon?

MR. K. GEORGE (*Chief Secretary to Government*): I do not understand that at all.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): If the Chief Secretary does not understand my question, I shall still further explain it. In spite of the representation of Mr. Raman Menon, does the Chief Secretary say that a better sort of inspection than what is actually being done now—whether the present inspection is good or not I do not say—will not be conducted?

MR. K. GEORGE (*Chief Secretary to Government*): The purport of this discussion will be conveyed to the Director of Registration and he will be asked to see that proper inspection is conducted.

MR. A. J. JOHN (*Aikam*): May I know whether a clock is supplied to each Sub-Registry office?

MR. K. GEORGE (*Chief Secretary to Government*): I have not seen all the Sub-Registry offices.

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MR. A. J. JOHN (*Vaikam*): Have the Government supplied clocks to all the Sub-Registry offices?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot say.

MR. A. J. JOHN (*Vaikam*): Will it not be convenient to have a clock in every Sub-Registry office?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Will it not be convenient if four cash and eight cash pieces are kept to a reasonable extent in every Sub-Registry office?

MR. K. GEORGE (*Chief Secretary to Government*): The Government treasury contains ample coins. It is a very small matter which the member can easily arrange with the Director of Registration. It is not a matter that the Government need issue a G. O. upon.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Then on what will the Government write a G. O.?

MR. K. GEORGE (*Chief Secretary to Government*): I think it is a very small matter.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Then who should do it? Why should I ask the Director of Registration? I am only asking for information. I am not submitting any opinion for the Government to carry out. I am only asking whether these small coins could not be kept in the Sub-Registry offices.

MR. K. GEORGE (*Chief Secretary to Government*): They have a sufficient number of copper coins. If the contrary is proved, I will make a reply in regard to that.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): I accept the Chief Secretary's statement for the present. I do not speak anything to the contrary now.

MR. K. GEORGE (*Chief Secretary to Government*): My point is that the charge is too wide and general that no proper action can be taken upon that.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Was not the instance of one particular Sub-Registrar quoted by Mr. Raman Menon sufficient?

MR. K. GEORGE (*Chief Secretary to Government*): That took place two years ago and the Sub-Registrar is probably not there now.

Another point Mr. Raman Menon referred to was about the promotions of subordinates.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): Rather promotions are overlooked and new men are appointed.

MR. K. GEORGE (*Chief Secretary to Government*): Under an order of Government, new men are drafted on as probationary Sub-Registrars. The object of this is to improve the tone of the officers rather than to detract their efficiency. If there are qualified men in the lower ranks, I think their promotion will not be overlooked; and

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every time a promotion is made, their claims are considered. If a man is newly appointed to take the place of a Sub-Registrar, he at least has no discontent and will not on that ground be tempted to ask for money. I do not know how the taking of the new men promotes corruption in the department.

Another point he referred to was about the taking of fees separately from individuals in registering documents in residences. There are rules on the subject. I believe in Section 52 of the rules under the Regulation, cases are mentioned wherein the Sub-Registrar has to go to a residence. There may be instances in which in the same residence there will be persons who are not entitled to get the benefit of that rule. But knowing the difficulty and inconvenience which the people have who reside in the same house—there are certain parties who are entitled to have the Sub-Registrar in their residences and certain others who are not—the Government have provided a rule by which the executants who are not entitled to have the registry at their residences can have the registry, provided they pay an extra fee of Rs. 2.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): May I know the reason for this distinction?

MR. K. GEORGE (*Chief Secretary to Government*): I think it is intended generally for women who are not able to appear in public and the infirm and the old persons and persons of high rank. But along with them there are persons who can go to a Sub-Registrar's office. If they go to a Sub-Registrar's office, they can save the extra fee. I do not see why they should not pay some money to Government for saving them the trouble. I think there is no reason for making a further reduction in the matter. So, I oppose the motion.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): മിസ്റ്റർ രാമൻ മേനോൻ പറഞ്ഞ അഭിപ്രായത്തോടു ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. സബ്‌രജിസ്ട്രാർ ആഫീസുകളിൽ പല അഴിമതികളും നടക്കുന്നു എന്ന് മിസ്റ്റർ രാമൻമേനോൻ പറഞ്ഞു. രണ്ടു വർഷത്തിനു മുമ്പു നടന്നതായ ഒരു കഥ മിസ്റ്റർ മേനവൻ പറഞ്ഞതുകൊണ്ട് അതിനു പ്രാമാണിത്വമില്ലെന്നും, ആ സബ്‌രജിസ്ട്രാർ ഇപ്പോൾ അവിടെ ഇല്ലെന്നും ചീഫ് സെക്രട്ടറി അഭിപ്രായപ്പെട്ടുന്നു.

MR. K. GEORGE (*Chief Secretary to Government*): Sir, a word of personal explanation. My point was that a single instance cannot prove a general rule.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഒരു ഡിപ്പാർട്ടുമെൻറിൽ നടന്നുവരുന്ന അഴിമതികളിൽ ഒരു ദൃഷ്ടാന്തമെടുത്തു പറയുന്നതു ശരിയല്ലെന്ന് അദ്ദേഹം പറയുന്നു. അത് ഒരു ഗവർണ്മെൻറ് മെമ്പറുടെ നിലയിൽ ആ അഭിപ്രായം ശരിയായിരിക്കാം.

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ഇപ്പോഴത്തെ നായർ റഗുലേഷൻ പാസ്സായതിൽപിന്നീട് പല നായർകുടുംബങ്ങളും വീതിച്ച് ഉടമ്പടി എഴുതിവരുന്നുണ്ട്. അപൂർവ്വം ചില സബ് രജിസ്ട്രാറന്മാർ ഒഴികെ ശേഷമുള്ള ആളുകൾ ഈ ഉടമ്പടി കൾ രജിസ്റ്റർ ചെയ്യണമെങ്കിൽ പണം വാങ്ങിക്കണമെന്ന് ഒരു നിർബന്ധം വച്ചിട്ടുള്ളതായി എനിക്കു സൂക്ഷ്മമായി അറിയാം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*). മറ്റുള്ള ആധാരങ്ങൾക്കും പണം വാങ്ങിക്കാറില്ലേ ?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): മറ്റുള്ള ആധാരങ്ങൾക്ക് ഒരു രൂപാ വാങ്ങിക്കുന്നുണ്ടെങ്കിൽ ഭാഗ ആധാരങ്ങൾക്ക് ഫ ൦ ൦ രൂപായാണ് വാങ്ങിക്കുന്നതു്. അതിനു പല കാരണങ്ങളും ഉണ്ട്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): നായന്മാരുടെ ഭാഗഉടമ്പടിക്കു മാത്രം പണം വാങ്ങിക്കാനുള്ള കാരണമെന്താണ് ?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): എന്റെ പ്രസംഗം തീർന്ന ഞാൻ ഇരിക്കാറാകുമ്പോൾ ചോദിച്ചാൽ വിസ്തരിച്ചു മറുപടി പറയാം.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഇരിക്കുന്ന സമയത്തു് വീണ്ടും ചോദിപ്പിക്കാതെ ഇപ്പോൾ ചോദിച്ച ചോദ്യത്തിനുതന്നെ ഒടുവിൽ മറുപടി പറയരുതോ?

MR. A. K. PILLAI (*Karunagapalli*): മിസ്റ്റർ കുഞ്ഞിത്തൊമ്മനു ഈ അവസ്ഥ സാധാരണ പറ്റാറില്ലെ ?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഞാൻ ഈ സംഗതി ഇവിടെപറയുന്നതു് എന്റെ സൂക്ഷ്മമായ അറിവിൽ കിട്ടീട്ടുള്ളതുകൊണ്ടാണ്. ചില രജിസ്റ്റർ ആഫീസുകളുടെ അതൃത്തിയിൽ ഉൾപ്പെട്ട സ്ഥലങ്ങളിലുള്ള പ്രമാണങ്ങളെ അടുത്ത സബ് രജിസ്റ്റർ ആഫീസിൽ കൊണ്ടുപോയി പതിപ്പിച്ചിട്ടുള്ളതായി എനിക്കറിയാം. അങ്ങിനെ ഉള്ളവയെ വരുത്തി ഗവർമ്മെൻറു പരിശോധിച്ചാൽ ഞാൻ പറഞ്ഞിട്ടുള്ളതിന്റെ വാസ്തവം ബോധ്യപ്പെടുന്നതാണ്. ഒരു വീട്ടിൽനിന്നും വളരെ അടുത്തു രണ്ടോ മൂന്നോ ഫർലാംഗ് മാത്രം ദൂരമുള്ള രജിസ്റ്റർ ആഫീസിൽ പതിക്കേണ്ടപ്രമാണങ്ങളെ അവിടെനിന്നും മൂന്നൊന്നാലൊ മൈൽ ദൂരത്തിലിരിക്കുന്ന രജിസ്ട്രാർ ആഫീസുകളിൽ കൊണ്ടുപോയി പതിപ്പിക്കുന്നതിനുള്ള കാരണം കൈക്കൂലിയുടെ നിർബ്ബന്ധം കൊണ്ടാണ്. നായർറഗുലേഷൻ പാസ്സായതിനുശേഷം അവരുടെ ഉടമ്പടികൾ രജി

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സ്റ്റർ ആക്കാൻ കൊണ്ടുപോയാൽ അതിനു ചില സബ് രജിസ്ട്രാരന്മാർ കൂടുതൽ പണം വാങ്ങിക്കുന്നതുകൊണ്ടാണ് ഇങ്ങിനെ ദൂരത്തുള്ള ആഫീസുകളിൽ കൊണ്ടുപോകുന്നത്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : ഈഴവറെഗുലേഷൻപ്രകാരമുള്ള ഭാഗങ്ങൾക്ക് ഇതുപോലെ തുകകൾ മേടിക്കുന്നുണ്ടോ ?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : ചീഫ് സിക്രിട്ടറിയുടെ മറുപടിയിൽ ഒരു സമാധാനം പറയുമായിരിക്കാം. അതായത് ജനങ്ങളുടെ പ്രതിപുരുഷന്മാർ ഈ സംഗതിയിൽ മൌനം ഭീക്ഷിക്കാനുള്ള കാരണത്തെ ഒരു വീഴ്ചയായി പറയുമായിരിക്കാം. വളരെക്കാലമായി പബ്ലിക്ക് സർവ്വീസിലുള്ള അഴിമതികളെപ്പറ്റി ജനപ്രതിനിധികൾ പറയുന്ന അവസരങ്ങളിൽ ഗവർമ്മെൻറു നൽകിയിട്ടുള്ള മറുപടികളെ പര്യാലോചിക്കുമ്പോൾ ഈ വിഷയത്തെപ്പറ്റി പറഞ്ഞു സമയംകളയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ലാ. (Mr. K. Madhavan Pillai: *Hear hear.*) മറൊരു സമാധാനം ചീഫ് സിക്രട്ടറി പറയുന്നത് "ജനങ്ങൾ എന്തിനാണ് ഇതിലേക്ക് പണം കൊടുക്കുന്നതു" എന്നുള്ളതാണ്. ഇത് എളുപ്പമായ ഒരു സമാധാനമാണ്. ഗവർമ്മെൻറ് ഈ സമാധാനത്തോടുകൂടിയിരിക്കുകയാണെങ്കിൽ പബ്ലിക്ക് സർവ്വീസിന്റെസ്ഥിതി എന്തായിത്തീരുമെന്ന് മനസ്സുകൊണ്ടു വിചാരിക്കാൻകൂടി സങ്കടം തോന്നുന്നുണ്ട്. എന്നാൽ അവരും ആളുകൾ ആണെന്നും അവർക്കും ചില ചാപല്യങ്ങളുണ്ടെന്നും അതു സ്വാഭാവികമാണെന്നും മനസ്സിലാക്കിയാൽ ഇങ്ങിനെയൊരു സമാധാനംപറയാനുള്ള അവകാശം ഉണ്ടായിരിക്കുകയില്ല. ഇന്നയിന്ന സ്ഥലങ്ങളിൽ ഇന്നയിന്ന അഴിമതികൾ നടക്കുന്നു—ഇന്നയിന്ന ആളുകൾ കൈക്കൂലിമേടിക്കുന്നു എന്നു പ്രതിപുരുഷന്മാർ പറഞ്ഞാൽ ഗവർണ്മെൻറ് അതിനെ സമ്മതിക്കുന്നില്ലാ. അതിനെപ്പറ്റി അന്വേഷിക്കുന്നില്ല. നേരെമറിച്ചു പല അവസരങ്ങളിലും അവരെ രക്ഷിച്ചുനിർത്തുകകൂടി ചെയ്യുന്നു.

MR. M. SIVATANU PILLAI (*Tovala*) : ചില രജിസ്റ്റർകച്ചേരികളിൽ മൂന്നുമണിക്കുമേൽ പ്രമാണങ്ങൾ എടുക്കുന്നില്ല എന്നുള്ള വിവരം മെമ്പർക്ക് അറിയാമൊ ?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): അറിയാം.

MR. M. SIVATANU PILLAI (*Tovala*): അതിനു വല്ല രൂപവും ഉണ്ടൊ ?

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MR. T. KUMARA PILLAI (*Kalkulam cum Vilavankod*): അതിനു രൂപ്സ് ഉണ്ടെന്നാണ് എന്റെ അറിവ്.

ഇപ്പോൾ മിസ്റ്റർ ശിവതാണുപിള്ള പറഞ്ഞതിൽനിന്ന് വേറൊരു സംഗതിക്കൂടി എന്റെ ഓർമ്മയിൽവരുന്നു. പതിനൊന്നുമണിമുതൽ വരുന്നതായപ്രമാണങ്ങളെഒന്നിച്ച് അടുക്കി രജിസ്ട്രാരുടെ മേശമേൽ വയ്ക്കും. ഏതിന് അതിൽ പണം കിട്ടുന്നുവൊ ആ പ്രമാണം എല്ലാത്തിന്റെയും മുകളിൽ വരികയും അവയെ നേരത്തെ രജിസ്റ്റരാക്കി കൊടുക്കയും ചെയ്യുന്നു. ഇങ്ങിനെ ഒരു പതിവുണ്ടെന്നു പറഞ്ഞതിന് ചീഫ്സെക്രട്ടറിയുടെ സമാധാനം ഒരിക്കലും തൃപ്തികരമായിട്ടുള്ളതല്ലാ. "നിങ്ങൾ പണം കൊടുക്കാൻ പാടില്ല. കൊടുത്തിട്ടു പരാതിപറയുന്നതു് എന്തിനു്" എന്നാണു് അദ്ദേഹം സമാധാനം പറയുന്നതു്.

വേറൊരു സംഗതി അദ്ദേഹം പറയുന്നതു് "കേരവിയെ അടിസ്ഥാനമാക്കി കൈക്കൂലിക്കായ്യം പറയാൻ പാടില്ലെന്നാണ്." ഇതു് ഗവർണ്മെൻറു സാധാരണ പറഞ്ഞുവരുന്ന ഒരു സമാധാനമാണു്. ഈ സമാധാനം ആണ്ടുതോറും പറയുന്നതിന് ഗവർണ്മെൻറിൽ നിന്നും ഭംഗിയായി അച്ചടിച്ചു വച്ചിട്ടുണ്ടെന്നുതോന്നിപ്പോകുന്നു. കേരവിയെ അടിസ്ഥാനമാക്കി പറയാതെ പിന്നെ ഏതിനെ അടിസ്ഥാനമാക്കിയാണു പറയേണ്ടതെന്നറിയുന്നില്ല. കേരവിയെ അടിസ്ഥാനമാക്കിയാണു് ലോകത്തുള്ള പലേ കായ്യങ്ങളും അറിയുന്നതു്. കേരവിയെ അടിസ്ഥാനമാക്കി പറയത്തക്കനിലയിലാണു് ഇന്നത്തെ നിയമം ഗവർണ്മെൻറു രൂപികരിച്ചു വച്ചിരിക്കുന്നതു്. കൈക്കൂലി കൊടുത്തവനും, അതു് വാങ്ങിച്ചവനും, ഇതു നോക്കിനില്ക്കുന്നവനും ഇപ്പോഴത്തെ നിയമം അനുസരിച്ചു് എങ്ങിനെ വെളിയിൽ പറയാൻ സാധിക്കും? എനിക്കു് ഇന്ന സബ് രജിസ്ട്രാർ ഇന്ന കുടുംബത്തിലെ ഭാഗഉടമ്പടി പതിക്കാൻ ഇത്ര രൂപാ കൈക്കൂലി മേടിച്ചു എന്നു സൂക്ഷ്മമായി പറയാൻ സാധിക്കും. അതിലേക്കു് ഒരു പട്ടികകൂടി തയ്യാറാക്കാനും എനിക്കുസാധിക്കും. എന്നാൽ അവയെ തെളിയിക്കാൻ സാധിക്കുന്നതല്ലാ. നിയമം അതിനു് അനുകൂലിക്കുന്നില്ലാ. നിയമം പ്രതികൂലിച്ചുനില്ക്കുന്നകാലത്തോളം പബ്ളിക്കുസർവ്വീസിലെ അഴിമതികളെ പരിഹരിക്കാൻ ഒരു മാർഗ്ഗവും കാണുന്നില്ല.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): How then can the Government take steps against the malpractices?

MR. T. KUMARA PILLAI (*Kalkulam cum Vilavankod*): ജനങ്ങളുടെ പ്രതിപുരുഷന്മാർ പറയുന്നതിനെ ഗവർണ്മെൻറു ഗൌരവമായി കരുത

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[Mr. T. Kumara Pillai.]

ണം. പബ്ലിക്ക് സർവ്വീസിലുള്ള ഉദ്യോഗസ്ഥന്മാരെ, അഴിമതിക്കുടാതെ ശരിയായനിലയിൽവച്ചു പരിപാലിക്കേണ്ടകടമ ഗവർണ്മെൻറിനാണ്. അതു കടമയെ നിറവേറുന്നതിന് എന്തെല്ലാം മാറ്റങ്ങൾ ഉണ്ടോ അതെല്ലാം ഗവർണ്മെൻറു ചെയ്യേണ്ടതാണ്. അനേകം ഉദ്യോഗസ്ഥന്മാരുള്ള ഗവണ്മെൻറിനു കൈക്കൂലിക്കാരൻ ഇന്നാരാണെന്നു കണ്ടുപിടിക്കാൻ പ്രയാസം നേരിട്ടേക്കാം. അവരിൽ ഇന്നഇന്ന ആളുകൾ കൈക്കൂലിവാങ്ങിക്കുന്നു എന്നു കണ്ടുപിടിക്കാൻ അതാതു ഡിപ്പാർട്ടുമെൻറിലെ അധികൃന്മാർ പ്രത്യേകം കടപ്പെട്ടിട്ടുള്ളവരാണ്. ഇന്നഇന്ന ഡിപ്പാർട്ടുമെൻറുകളിൽ ഇന്നയിന്ന അഴിമതികാൎനടക്കുന്നുവെന്നു ജനപ്രതിനിധികാൎ പറയുന്നതു് അതു കണ്ടുപിടിക്കാനുള്ള ഉദ്യോഗസ്ഥന്മാരേയും ഗവർണ്മെൻറിനേയും സഹായിക്കുന്നതിനു മാത്രമാണ്. അങ്ങിനെ അവർ പറയുമ്പോൾ അതിനേപ്പറ്റി ഗവർണ്മെൻറു വേണ്ടപോലെ അന്വേഷിക്കണം.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): If the earnings of a particular officer are quite disproportionate to the pay of the officer, could not the member infer from it that that officer is resorting to illegal means of money-making?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : അതിനേപ്പറ്റി ഈ കൌൺസിലിൽ ഞാൻതന്നെ പലേ ചോദ്യങ്ങളും ചോദിച്ചിട്ടുണ്ട്. ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളത്തേ താരതമ്യപ്പെടുത്തി അവരുടെ സമ്പാദ്യം തിട്ടപ്പെടുത്തണമെന്നു പല ചോദ്യങ്ങളും ചോദിച്ചപ്പോൾ അതിനെപ്പറ്റി അന്വേഷിക്കാതെ അവ രഹസ്യപ്രമാണങ്ങളാണെന്നു സമാധാനം പറഞ്ഞിട്ടുണ്ട്.

ഇവിടത്തെ പബ്ലിക്ക്സർവ്വീസിലുള്ള ഉദ്യോഗസ്ഥന്മാരുടെ സമ്പാദ്യത്തേയും ശമ്പളത്തേയും തിട്ടംവരുത്തി നോക്കുന്നതായാൽ അതിൽനിന്നും പല രഹസ്യങ്ങളും പുറത്തുവരുന്നതാണ്. അങ്ങനെയും ഉദ്യോഗസ്ഥന്മാരുടെ സമ്പാദ്യത്തെ വിവരിക്കുന്ന ഒരു സ്റ്റേറ്റ്മെൻറ് ഗവർണ്മെൻറിനയക്കുന്നവയെ വേണ്ടപോലെ പരിശോധിച്ചിരുന്നുവെങ്കിൽ ഇത്രവളരെ അഴിമതികാൎക്കു് ഇടവരികയില്ലായിരുന്നു. ഇന്നു സബ്ബ്രജിസ്ട്രാരായിരിക്കുന്നവരിൽ പലരും നായർ റഗുലേഷൻ നടപ്പിൽ വന്നതിൽപിന്നീടു സമ്പാദിച്ചിട്ടുള്ള സ്വത്തിൻെറ കണക്കിനെ ഗവർണ്മെൻറു പരിശോധിച്ചാൽ ജനപ്രതിനിധികളുടെ സഹായംകൂടാതെതന്നെ ഗവർണ്മെൻറിനു് അവരെ ശിക്ഷിക്കത്തക്കവണ്ണമുള്ള അനേകം ദൃഷ്ടാന്തങ്ങൾ കി

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ട്ടുമെന്നുള്ളതിനു സംശയമില്ല. ഈമാതിരി സമാധാനങ്ങളും പറഞ്ഞു് ഒഴിയാതെ സബ്‌രജിസ്ട്രാരന്മാർ കൈക്കൂലി വാങ്ങിക്കാതിരിക്കത്തക്കവണ്ണം വേണ്ട നിഷ്കൃഷ്ടം ചെയ്യുന്നതിനു ഡയറക്ടരെ ചുമതലപ്പെട്ടുത്തേണ്ടതാണു്.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): It was said by the Chief Secretary that a single instance mentioned by Mr. Raman Menon does not support the motion under discussion and so it is that I have also risen to speak on the motion. After the Nayar Regulation and the Ezhava Regulation came into force, the conduct of most of the Sub-Registrars has been found to be quite unsatisfactory. I can say without any hesitation that most of them are corrupt. To quote more instances, as was desired by the Chief Secretary, I may also state some. I am aware that in my neighbouring Sub-Registrars' offices, enquiries were being made as to allegations of corruption. I may mention the names of these Sub-Registrars' offices. One such office is in Chavarai. There was an enquiry made about the conduct of the Sub-Registrar. The same thing was done in the case of Kundarai and Adur Sub-Registrars' offices. I know that enquiries were conducted but, what results were arrived at I am at a loss to know. Still, the Sub-Registrars concerned are earning more and more money every year, if not every month. Of course, I do not want to mention the names of these officers at all, because I do not want the statement of mine as an allegation which I shall be asked to prove. I fully associate myself, Sir, with all that has been said by Mr. Raman Menon and Mr. Kumara Pillai. The Law Member asked a question to Mr. Kumara Pillai as to how the Government could come to know of the malpractices of the Sub-Registrars. What I submit, Sir, is this. If it is known to the District Registrar or Director of Registration, or even to the Dewan, that a particular Sub-Registrar is corrupt, I submit that the attitude of these officers towards this particular Sub-Registrar must be such that he should not continue that malpractice.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What can the Government do against that particular Sub-Registrar if there is no evidence as to corruption?

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): I have already brought to the notice of the Government specific instances and they have not done anything till now. I find even the head of the department had not taken any action towards the Sub-Registrars concerned.

MR. M. SIVATANU PILLAI (*Tovala*): Will the member be satisfied if the Government issue a circular to the several District Registrars to the effect that they will be given due promotion if they detect corrupt officers?

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MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): I will heartily approve of that suggestion.

I know in Kottarakara Munsiff's court when a warrant was issued to arrest a particular defendant in a particular case, he was successfully evading arrest for about three or four years consecutively. Then a new Munsiff came to the place to whom I made a representation about that particular case. Then the Munsiff told me. "All right, Mr. Kochukunju Pillai, you put in an application tomorrow and I will see that the particular individual is brought before the court immediately." Accordingly, I put in my petition, and the next day I was surprised to find that the particular individual was brought to the court. When I enquired into the matter, I found that the Munsiff had issued strict orders to the peons to the effect that if they did not produce that particular man, they would be dismissed from the service. In the same way, if the head of the department is aware of the fact that one of their subordinates is really corrupt, he must deal with him severely. In this way, if disciplinary action is taken, most of the complaints as regards corruption will disappear.

MR. W. H. PITT (*Commissioner of Police*): Does the member think that such instructions issued to the peons on the part of that officer are just?

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): I think so.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Apart from that, I should like to know what analogous instruction the member suggests, should proceed from the Director of Registration to his subordinates.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): In the first place, the Director of Registration must make his subordinate officers understand that he is a very strict disciplinarian and even the slightest rumour that a particular officer is corrupt would meet with condign punishment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Are there not rules even now holding out punishment to the corrupt?

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): There are rules I admit, but no officer seems to exercise them.

Another matter I wish to bring to the notice of the House is this. Poor people are forced to pay the Sub-Registrar in case they want their documents registered. In the case of partition deeds under the Nayar and the Ezhava Regulations, lots of people go to these Sub-Registrars' offices. It will take a month or so for the parties to come to terms in disputed cases. After settling disputes, they take the document to the Sub-Registrar for proper action. Sometimes, the Sub-Registrars take their own time for registering documents. They try to give all sorts of inconvenience and trouble to the parties concerned. In some cases, it will be seen that, if the parties are there, the documents will not be admitted, and if they go away after 3 o'clock, other

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difficulties come in. These are some of the practical difficulties that the poor people are encountering. In order to avoid these troubles, some poor persons tip the Sub-Registrars. Such being the case, is it fair on the part of the Government to ask them to prefer a complaint alleging corruption adducing evidences to that effect. This evidence, if presented to the head of the department, say, the Director of Registration, he may not believe in. In such cases, what will the party do? Can he approach the head of the administration and launch complaints adducing evidence in support of the same? In this connection, I may say that it will be very very difficult for a poor man to approach the head of the administration.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Is there any possibility of taking direct evidence from any of the Sub-Registrar's subordinates, say, from the clerks, that a particular officer is misbehaving?

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): It is impossible. As a matter of fact, I was present during one of the enquiries made with regard to a particular Sub-Registrar. I heard two persons speak of the fact that the Sub-Registrar has been demanding money from them. This is a case of direct evidence. Such matters, Sir, I beg to submit, rest more or less with the head of the department. They ought to know the real state of affairs. They must take strict disciplinary action. They must make a thorough departmental enquiry. I may even say that the head of the department must seek the honest opinion from honest representatives of the people. (*Laughter*). The head of the department must believe them and act up to them. I know instances, very many instances, in which heads of departments, though they are under the impression that a particular subordinate is corrupt, never take action. In such cases, that is in cases where they are really corrupt and are not given proper punishment, I cannot say anything about the mentality of such heads of departments.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member suggest that subordinate officers should be punished on the mere belief of the superior?

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): I have known instances where heads of departments punish their subordinates merely on account of their prejudice against them. There are also instances where heads of departments are punishing some of their subordinates under them on charges which are not really before them. They really find opportunities to make complaints.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): But is that right or just?

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): I say such things also occur in the case of certain heads of departments.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will not Mr. Kochukunju Pillai himself criticise such an action on the part of the head of any department?

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MR C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): The sum and substance of what I have been submitting is that the heads of departments should be guided by their own convictions. They should make the subordinates understand that the head of the department knows their ins and outs.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): മറ്റുപല ഡിപ്പാർട്ടുമെൻറുകളിലും ഉള്ളതുപോലെ രജിസ്ട്രേഷൻ ഡിപ്പാർട്ടുമെൻറിലും പണ്ടത്തപ്പോലെ (ചിരി) ഇപ്പോഴും ഉദ്യോഗസ്ഥന്മാരുടെ ഇടയിൽ ധാരാളം അഴിമതികൾ നടക്കുന്നുണ്ട്. രജിസ്ട്രേഷൻ ഡിപ്പാർട്ടുമെൻറിലുള്ള അഴിമതികളേയും പരിഹരിക്കേണ്ടതു് അത്യാവശ്യമാണ്. മറ്റു ഡിപ്പാർട്ടുമെൻറുകളിൽ നടക്കുന്നതുകൊണ്ട് ഇതിലും നടത്തിക്കൊള്ളട്ടെ എന്നു വയ്ക്കുന്നതു് ശരിയല്ലാ. ഇതിനേക്കാൾ ഉപദ്രവമാണു മറ്റുവകുപ്പുകളിൽഉള്ളതു്; അതുകൊണ്ടു് ഇതിലെ ഉപദ്രവം സാരമില്ലെന്നുവയ്ക്കാൻ പാടില്ലല്ലോ. എന്റെ മാന്യസ്നേഹിതൻ മിസ്റ്റർ കുമാരപിള്ള പറഞ്ഞതുപോലെ നായർ റഗുലേഷൻ പാസ്സായതിനുശേഷം ആ സമുദായത്തിൽ അനവധി ഭാഗ ആധാരങ്ങൾ ഉണ്ടായിട്ടുണ്ട്. അതുകൊണ്ടു് ആ സമുദായത്തിൽപ്പെട്ടവരുടെ പണം ധാരാളമായി കൈക്കുലിവകയിൽ ചിലവാകുന്നതിനും തന്നിമിത്തം വളരെ കഷ്ടപ്പെടുന്നതിനും ഇടയാകുന്നുണ്ട്. ആധാരങ്ങൾ രജിസ്റ്റരാക്കുന്നതിനെ സംബന്ധിച്ചു് മറ്റുവർഗ്ഗക്കാർക്കും ഉപദ്രവം ഉണ്ടു്. ഇത്രതന്നെ ഇല്ലായിരിക്കാം. എന്നാൽ ഇതിൽ ഭാഗ ആധാരങ്ങളെസംബന്ധിച്ചാണു് അധികം ഉപദ്രവം ഉള്ളതു്.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): തെക്കൻതിരുവിതാംകൂറിൽ ഈഴവസമുദായക്കാർ വളരെ കുറവായതുകൊണ്ടാണു് ഈഴവരുടെ ഭാഗാധാരങ്ങളെപറ്റി ഞാൻ ഒന്നും പറയാത്തതു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): അതൊരു ചോദ്യമാണോ?

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): അല്ലാ, തെറ്റിദ്ധാരണയെനീക്കാനുള്ള വ്യാഖ്യാനമാണു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): ഇപ്പോഴെങ്കിലും ഈ വിഷയം കൗൺസിലിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവരാൻ വിചാരിച്ചതിൽ വളരെ സന്തോഷമുണ്ടു്. ഭാഗ ആധാരങ്ങളെ സംബന്ധിച്ചാണു് വളരെ കുഴപ്പം ഉള്ളതു്. ഒരു കുടുംബത്തിലെ അംഗങ്ങൾ തമ്മിൽ കലഹിച്ചു വസ്തു കയ്യേറ്റവും മറ്റും ഉണ്ടാകുമ്പോൾ അയൽപക്കക്കാരും ബന്ധുക്കളും പോലും തമ്മിലും കലഹിക്കുണ്ടാ

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ഭാഗം നടത്തണം'' എന്നു പറഞ്ഞു പത്തോ അൻപതോ അംഗങ്ങളുള്ള വരെയെല്ലാം ഒരുമിച്ചുചേർത്തു ഭാഗമുടമ്പടി എഴുതിച്ചു രജിസ്റ്ററാക്കാൻ അയക്കുന്നു. അപ്പോൾ തരാതെടങ്ങിപ്പോന്നാൽ പിന്നെയും പണ്ടത്തെപ്പോലെവഴക്കാണു വരുന്നതു്. അതുകൊണ്ടു് ഇങ്ങിനെയുള്ള സംഗതികളിൽ എന്തു നഷ്ടം വന്നാലും ഭാഗ ആധാരം ഉടൻ രജിസ്റ്ററാക്കുന്നതിനുവേണ്ടി എത്രപണംവേണമെങ്കിലും കൊടുത്തു കളയാമെന്നു വിചാരിക്കുന്നുണ്ടു്, അപ്പോഴാണു വലിയതുകകഠം കൊടുക്കേണ്ടിവരുന്നതു്. രജിസ്ട്രേഷൻഡിപ്പാർട്ടമെൻറിലെ അഴിമതികളെ നിർത്തൽ ചെയ്യാൻ ഞാൻ വളരെ ശ്രമിച്ചിട്ടുണ്ടു്. എന്നാൽ ചിലരുടെവർഗ്ഗീയപ്രതിപത്തികൊണ്ടു വളരെ വിഷമം നേരിട്ടു. മറു ഡിപ്പാർട്ടമെൻറിലെ അഴിമതികളും നിർത്തണ്ടതു് ഒരു പ്രധാനപ്പെട്ട സംഗതിയാണു്. അഴിമതികളെ നിർത്താനുള്ള ഒരു വഴി ഡിപ്പാർട്ടമെൻറുകളിൽ വിവിധവർഗ്ഗങ്ങളിൽപെട്ട ആളുകഠം പല സ്ഥാനങ്ങളിലും ഉണ്ടായിരിക്കുന്നതാണു്. അങ്ങിനെ അയിരുന്നാൽ ഈ അഴിമതികഠംക്കു വളരെ കുറവുവരും. രജിസ്ട്രേഷൻ ഡിപ്പാർട്ടമെൻറു് റവന്യൂ ഡിപ്പാർട്ടമെൻറുപോലെതന്നെ ചില വർഗ്ഗക്കാർ മാത്രമുള്ള ഒരു വകുപ്പായിട്ടാണു് ഇപ്പോഴും ഇരിക്കുന്നതു്. അതായതു് ചില തോട്ടങ്ങളിൽ ചില വർഗ്ഗം ചെടികളൊ വൃക്ഷങ്ങളൊ മാത്രം ഉള്ളതുപോലെ ചില വർഗ്ഗക്കാരെക്കൊണ്ടു നിറച്ചിട്ടുള്ള ഒരു വകുപ്പാണു് ഇതു്. ഇതൊന്നു ഭേദപ്പെടുത്തിയാൽ അഴിമതി കുറെ കുറയും. അതുകൊണ്ടു് ഈ സംഗതി പ്രത്യേകം ശ്രദ്ധിക്കണം. അഴിമതികളെ ഒതുക്കാനുള്ള പ്രധാനവഴി ഇപ്പോഠം ഇതേ ഞാൻകാണുന്നുള്ളു.

ഉദ്യോഗസ്ഥന്മാരെപ്പറ്റി ജനങ്ങഠം പരാതിപറയുമ്പോഠം ഗവർമെൻറു മേലധികാരികളെത്തന്നെ നിയോഗിച്ചു ജനങ്ങളുടെയിടയിൽ നിന്നു് തെളിവെടുക്കാനും അഴിമതിക്കാരെ ശിക്ഷിക്കാനും ശ്രമിക്കുന്നുണ്ടെന്നു് ഏറെക്കുറെ സമ്മതിക്കാം. എന്നാൽ അനുചിതമായ നടത്തുന്ന ഉദ്യോഗസ്ഥൻ സ്വവർഗ്ഗക്കാരനായ കീഴുദ്യോഗസ്ഥന്റെ അഴിമതിയെ മൂടുവാൻ ശ്രമിക്കുന്നു. ''എന്തെങ്കിലും ചില ചില്ലറ ന്യൂനത ഉണ്ടായിരുന്നാലും നമ്മുടെസമുദായത്തിൽപെട്ട ആളല്ലെ; നിങ്ങഠം ക്ഷമിക്കേണ്ടതല്ലേ'' എന്നു് ഈ അനുചിതത്തിനുവരുന്ന ഉദ്യോഗസ്ഥന്മാർ സ്വജാതിയിൽപെട്ട പൌരന്മാരോടു് ഉപദേശിച്ചും മറും കീഴുദ്യോഗസ്ഥനെ രക്ഷിക്കും അതിനടുത്ത പടിയിൽ ചെന്നാൽ അവിടെയും ഫലം അതുതന്നെയാണു്. ഇങ്ങിനെയുള്ളതെല്ലാം ദിവാനോ മറോ വന്നനുചിതം അന്വേഷിക്കാൻ സാദ്ധ്യവുമല്ലല്ലൊ. പല പല വർഗ്ഗങ്ങളിലും പെട്ട ഉദ്യോഗസ്ഥന്മാർ ഓരോ ഡിപ്പാർട്ടമെൻറുകളിലും ഇരുന്നാൽ ഈമാതിരി അഴിമതികഠം നടക്കയില്ല. ഉദ്യോഗസ്ഥന്മാർ സക്കീട്ടു ചെയ്യുമ്പോഠം കീഴ്–

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[Mr. Tariatu Kunjitomman.]

ദ്യോഗസ്ഥന്മാരുടെ നടത്തയെപ്പറ്റി ജനങ്ങളോടു ചോദിച്ചറിയണം. രജിസ്ട്രേഷൻ ഡിപ്പാർട്ടുമെൻറിലെ അഴിമതികളെ കണ്ടുപിടിക്കാൻ നല്ല മാർഗ്ഗം ഉണ്ട്. അവക്കു മുൻ അറിവുകൊടുക്കാതെ ഡയറക്ടർ രജിസ്റ്റർകച്ചേരികളെ പരിശോധന നടത്തണം. ആധാരങ്ങളും പണവും തിട്ടം വരുത്തണം.

രജിസ്ട്രാഫീസിനത്തിൽനിന്നും കൂടുതൽ പണമുണ്ടാ എന്ന് എണ്ണിനോക്കണം.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : സബ് രജിസ്റ്റാർ കൂടുതൽ വാങ്ങിക്കുന്നപണം പരസ്യമായി വയ്ക്കാതെ പാക്കറ്റിൽ ഇട്ടുകളകയില്ലേ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : പാക്കറ്റിൽ ഒന്നും ഇടാതെ നിർഭയമായി മുമ്പിൽവയ്ക്കുത്തക്കവണ്ണം കൈക്കൂലി ചോദിച്ചുമേടിക്കുന്ന രജിസ്റ്റർമാരും ഉണ്ട്. പാക്കറ്റും പരിശോധിക്കണം. രജിസ്റ്റർ കച്ചേരിയിലേക്കു പാക്കറ്റ്മണി വേറെ കൊണ്ടുവരേണ്ടല്ലോ.

രജിസ്റ്റർ കച്ചേരിയിൽ ഹാജരാകുന്ന ജനങ്ങളോടും ചോദിച്ചറിയണം. അവരിൽനിന്ന് സാമാന്യമായിട്ടുള്ള വിവരങ്ങൾ അറിയാം. സബ് രജിസ്ട്രാർമാർ വാങ്ങിക്കുന്ന കൈക്കൂലി രഹസ്യമായിട്ടുള്ളതല്ല. ഉറന്ന കച്ചേരികളിൽനിന്നാണ് അവർ മേടിക്കുന്നത്. ഇങ്ങിനെ മേലധികാരികൾ നിഷ്കർഷയായിട്ട് എല്ലാപേരെസംബന്ധിച്ചും നോക്കണം. താന്താങ്ങളുടെ വഴ്ങ്ങളിൽപെട്ടയാളാണ് രജിസ്ട്രാരെങ്കിൽ മെയ്നാലംബികളായിട്ടു പോകരുത്. മിക്കവാറും വഴ്ചീയപ്രതിപത്തിയാണ് ഉദ്യോഗസ്ഥന്മാരിൽപലരെയും വഴിതെറ്റിക്കുന്നത്. ജനങ്ങളുടെയിടയിലും വഴ്ചീയപ്രതിപത്തി വളരെയുണ്ട്. ഈവഴ്ചീയപ്രതിപത്തികൊണ്ട് പബ്ലിക്ക്സർവീസിൽ വിവിധവഴ്ങ്ങൾക്കു പ്രവേശനം ഇല്ലാതായി. ഇരുട്ടടഞ്ഞ മുറിയിൽ വെളിച്ചവും ശുദ്ധവായുവും കടക്കാത്തതുപോലെ പല ഡിപ്പാർട്ടുമെൻറുകളും ഇരുട്ടടഞ്ഞു കിടക്കുകയാണ്. അവിടെയാണ് അധികം അഴിമതികളും. ഇതുമാതിരികാര്യങ്ങൾ പറയുന്നവക്കു ഫലമെന്താണെന്നു ഞാൻ പലവകുപ്പുകളിൽനിന്നും അനുഭവിച്ചറിഞ്ഞിട്ടുണ്ട്. എന്നാലും ഞാൻപറയുകതന്നെ ചെയ്യും. അതു എന്റെ ധർമ്മമാണെന്ന് എനിക്കറിയാം. ഗവർമ്മെൻറു ശുദ്ധിക്കുന്നതിനാണ് ഞാൻ പറയുന്നത്. എനിക്ക് ആരോടും വിരോധമില്ല. ഈ അഴിമതികളെ നിറുത്തണമെന്നുള്ള എന്റെ മാന്യസ്നേഹിതന്റെ ഉപക്ഷേപത്തെ ഞാൻ ബലമായി പിൻതാങ്ങിക്കൊണ്ടു നിറുത്തുന്നു.

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MR. PAUL DANIEL (*Nominated*) : Sir, so far as I am aware, until a few years ago, the Registration Department was considered to be a department into which corruption could not enter. But things have changed very considerably in recent years. Corruption has not only entered into the department but is increasing by leaps and bounds. There are so many ways by which the poor people that resort to the Registration officers are oppressed. Some instances were hinted at by Mr. K. I. Joseph. A man who has to pay S. Rs. 15 as the fee for the registration of a document puts down Bh. Rs. 15. There was a time when the seven and a half chackrams, due to the party in such cases, were immediately returned. I do not know whether that practice obtains now-a-days. The seven and a half chackrams go into the pockets of the Sub-Registrar, or, at the close of the day, all such proceeds are divided among the men employed in that office. Then, as Mr. Kumara Pillai pointed out, frequent shuffling of the documents placed on the table for registration takes place, and those that are followed by substantial amounts take precedence over the other documents.

I want at this moment particularly to mention another point. The Government have passed a Regulation, called the Chitties Regulation with a view to safeguard the poor subscriber, the contributor to the *chitties*, against the fraudulent practices of the foreman. I am sorry that that has not succeeded to any great extent. The poor people are not at all helped by this good intention of the Government. If I am not mistaken, it is the District Registrar's duty to examine the accounts of the foremen of the *chilty*. But, as I understand, that difficult duty is more or less always relegated to the local Sub-Registrar; and the corruption that goes on regularly in connection with this work is enormous. When a foreman registers a *chitty*, a sum of money has invariably to be paid to the person by whom it is registerd. Afterwards, when his monthly accounts are to be examined, presumably by the District Registrar, on some pretext or other, the foreman does not produce his accounts at the proper time. After a day or two, he takes them to the Sub-Registrar, who evidently has been authorised by the District Registrar in his absence to go into the accounts, and a sum of money always propitiates the Sub-Registrar to the great loss and ruin of a number of members of the *chity* of which that man is the principal or the chief. I therefore suggest that it is high time that the Government pay serious attention to this state of affairs obtaining in the Registration Department.

MR. K. SIVARAMA PANIKKAR (*Shertallai*) : I also agree with my previous speakers in saying that there is corruption rampant in the Sub-Registrars' offices in the State, as there is among other offices in other departments, especially in the lower ranks of office. As the learned Law Member put it, it is rather difficult to punish such officers inasmuch as there is not sufficient evidence to prove the allegations made against them. But, in such cases, the only remedy is to impose a certain amount of confidence in the words of the representatives of the people or, for the matter of that, of some men of status and dignity

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[Mr. K. Sivarama Panikkar.]

that might be prepared to give any information about the corruption of the officers concerned. Unless the Government are prepared to repose that confidence on the representatives of the people, it will not be possible for the Government or for the people to bring any officer to book. The fact that so many members have spoken against the practice that is going on in the various Sub-Registrars' offices is sufficient proof to show that there is bribery and corruption. I believe this House will consider this question seriously, and the Government and the department will take immediate action to see that such things are put a stop to in the near future.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I wish to speak a few words on this matter. I have been listening to certain interrogatories, put by the learned Law Member, from which I understood that he was also anxious to devise ways and means to combat this growing evil of corruption in this department. My friend Mr. Pitt, the Police Commissioner, also accepted the position indirectly. He only took objection to certain means which he said were not just. Therefore, certain members, on the Government Bench, at any rate, have accepted the position taken by the non-official section in regard to this question. I will content myself by giving one or two suggestions by way of an attempt to combat this evil.

As I suggested in one of my interrogatories, Government may seriously consider the question of issuing a circular to the effect that, as in the Excise Department, extra reward by way of promotions will be given to the District Registrars according to the number of cases of corruption detected by them. I think, Sir, this will go a great way to put down corruption in this department. With great pleasure, I would invite any one of the responsible officers of the Government to go and inspect some of these Sub-Registrars' offices, all on a sudden, *incognito* as Mr. Kunjitomman suggested, and to examine the accounts and check the money that has been collected in the course of the day, as registration fees.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether the money received by way of bribe will be entered in the accounts?

MR. M. SIVATANU PILLAI (*Tovala*): The accounts will show the sum that has actually been received by way of Registration fees, and by counting the money actually found there, it could be inferred that the excess had been obtained from several persons for nothing, illegally.

MR. K. GEORGE (*Chief Secretary to Government*): If any officer goes *incognito*, will he be allowed to check the accounts?

MR. M. SIVATANU PILLAI (*Tovala*): In this connection, Sir, with very great regret, I have to give to this Council my own personal experience in the matter. Certain friends of mine, of course men with due sense of responsibility and decency, told me that there was corruption in a particular Sub-Registrar's office. Fortunately or unfortunately, I had occasion to go to that particular office at about 2-30 P. M. on a

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certain day. The subordinates in that office know me and began to smile at me as I was entering the office. I secretly asked them to keep quiet. The Sub-Registrar did not know me since he had been newly transferred to that place. I presented a document to him and quietly took my seat. I had only my *dhoti* on. He told me first that I was a little late. I said 'Well, Sir, we can some how or other negotiate between ourselves. The matter is very urgent. It must be done as soon as possible.' I was then allowed to wait there for more than three quarters of an hour. Meanwhile, I had occasion to witness a very sad spectacle. Sir, I was direct eye-witness to what I am going to describe and it is as true as the fact that I am standing here. A number of persons, members of the Nadar community, poor people as they are, came over there to get certain documents registered. Some of them were in *mossul* and had to deposit some money in court. You can very well imagine, Sir, the anxiety of the poor persons under such circumstances. If my memory does not fail me, the registration fees covered only Rs. 3 to Rs. 4. I was actually witnessing what was going on there. As usual, the poor people handed over British rupees; and, as Mr. Paul Daniel stated, the 8 cash in the rupee that was due to the parties concerned, was not repaid in even a single instance. Without any compunction or any perturbation of his conscience, the Sub-Registrar showed down the documents of the poor Nadars by the side of the table. I saw this with my own eyes. We can very easily imagine the pitiable position of these poor illiterate men, coming as they do from the poor Nadar community of the Agastisvaram taluk.

It is therefore high time, Sir, that the Government, without trying to change words with this side of the House, should devise ways and means to combat this evil successfully. As a matter of fact, I have myself heard from very responsible officers that they themselves know that particular officers under them were corrupt. Of course, this is with respect to some other department. But it is impossible for such responsible officers to take any action against those that are corrupt, in the manner and procedure laid down by law. That is the difficulty. Therefore the question is not whether there is corruption or not; but as to how, under the existing law, the offenders are to be brought to book.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Will it not be possible for a competent Director of Registration to put down corruption in the department?

MR. M. SIVATANU PILLAI (*Tovala*): As my friend Mr. A. K. Pillai often quotes Mussolini, a benevolent despot is most welcome.

As Mr. Pitt pointed out, the means may not always be just. But in putting down corruption, any means is as good as any other. We need not care for the justness or the fairness of the means. We must somehow put down corruption. I only request the Government to see that, irrespective of the fairness or otherwise of the means that they adopt, corruption is put down.

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MR. W. H. PITT (*Commissioner of Police*): Mr. Sivatanu Pillai has been saying that all Sub-Registrars are corrupt. Would it be fair or just if the Government pass an order directing the Director of Registration to discharge all the Sub-Registrars at once?

MR. M. SIVATANU PILLAI (*Tovala*): Of course, in the process of putting down corruption, certain innocent persons may fall a prey. In the matter of clearing down weeds, tender shoots will also be destroyed. Even though a person is innocent, he may happen to fall a victim. The state of affairs in the matter of corruption in the department has come to such a stage as to make the Government seriously think of devising ways and means to attempt to put it down with a strong hand.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Has he any objection to give out the names of the officials even though the Government Benches are indifferent to know their names?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): And not necessary on the floor of this House.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): I only ask whether the member has any objection to give out the names. I did not say that the names should be actually disclosed here.

MR. M. SIVATANU PILLAI (*Tovala*): If the Government are pleased to take up my challenge, I shall have no objection to give the names of the persons.

MR. A. K. PILLAI (*Karunagapalli*): I must say at once that I feel ashamed on the regrettable necessity on speaking on this motion. I cannot fancy that I could speak on this motion with any amount of courage, not to say of pleasure. I feel that I am making an accusation, but I am making an accusation against the sons of the soil. Sir, the charge of corruption has been before us time and again, just like Banquo's ghost. The appartion of corruption and vagaries has been lifting its head and making its appearance from time to time, from day to day and from night to night. If there is a strong hand, if, Sir, you could put down this corruption, it will perhaps be the mightiest deed that you could possibly do. But I think at the same time that it will be a most difficult task. Perhaps it will cost the head of the man who attempts to do that. Every member who has been bringing forward charges, each of which will be against an officer or against any agency who tries to put down corruption. We are making accusations not against a few officers, but against a department in general. If it is against a particular officer, we will say that we have no complaints. We are making complaints against our own people. The accusation is true, but it is tragic. There is a melancholy interest attached to that. Corruption is rampant, no doubt. But how is it that the corruption has become so rampant? I am sure that if you examine all the petitions that have been received for the last ten years or even more, you will find that no influential man would have sent a petition. No honest representative or dishonest representative of the people, as Mr. C. P. Kochukunju Pillai stated, would dare to stand as a witness, if an enquiry is made.

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MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : May I know to which category the member belongs ?

MR. A. K. PILLAI (*Karunagapalli*) : They want the charges to be made, but they are not prepared for the unpleasant necessity of appearing as witnesses or of taking any responsibility. Things have come to such a pass that it is impossible to get rid of this nuisance unless we are prepared to burn our fingers. I myself have received complaints from certain quarters. When asked whether those people would be prepared to appear as witnesses, they said " In this case, please do not mention our names." That is the attitude. Are we really against corruption or are we only complaining against individual cases that affect us ? If we are really against corruption, let us not consider about caste or creed or the relationship of particular persons. But let us purely try to put down corruption. If an officer is held out as a miscreant or as one who was guilty of some misdemeanour, there will be a section which will try to uphold him as an apostle of justice and efficiency. (Mr. K. P. Nilakanta Pillai : *Hear, hear.*) That is a spectacle we are seeing from day to day. Are we prepared as one man to try to put down corruption ? Then the departmental head will succeed and the Government will succeed.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Supposing we are not prepared, does it mean that the Government have no duty cast on them in this matter ?

MR. A. K. PILLAI (*Karunagapalli*) : Unless people are conscious of their own responsibility and they have got a higher morale, I am sure the officers cannot but be corrupt.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Could not the Government get people of high morale ?

MR. A. K. PILLAI (*Karunagapalli*) : What is Government except the people's conscience ? Do the officers of Government drop into our midst from somewhere else ? We hold the Government responsible for their actions. At the same time, let us show by our conduct that a certain amount of responsibility is also expected of us.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*) : Are they not men from ourselves ?

MR. A. K. PILLAI (*Karunagapalli*) : That is why I said that there was a melancholy interest attached to it.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*) : Are they not expected to do what is necessary ?

MR. A. K. PILLAI (*Karunagapalli*) : Yes. People must come forward to burn their fingers in putting down injustice, irrespective of caste or creed or any relationship. They must be prepared not only to burn their fingers but burn themselves in the attempt. Are we prepared ?

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[Mr. A. K. Pillai.]

Turning, Sir, to the Government, they have got a very grave responsibility. When the people are making such accusations from day to day, it means that they are censuring the Government from time to time. The Government have got a very grave responsibility. Ceasar's wife must be above suspicion. If the Government must have a name, they must see that this sort of thing is not tolerated. Are the Government prepared or are the heads of the departments prepared to court unpopularity even at the risk of anything? In that case only can they do something. So, I appeal both to the people and to the Government. They must unite to attempt to put down corruption which is rampant, no doubt. I support Mr. Raman Menon whole-heartedly, though neither with pleasure nor with courage.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): If any weight could be attached to the representations made by the members on this House, I believe it could be taken as a settled fact that corruption is prevalent in all the offices in the State. (Mr. P. K. Narayana Pillai: *Hear, hear.*) Hence I do not think it necessary to say anything on the existing state of things in this department particularly. I only wish to offer a few remarks about the attitude of the Government and the department in the matter. The Chief Secretary seems to think that unless people themselves make out a strong case or rather prove it conclusively, the Government should not and could not do anything. Such an attitude, I cannot understand or appriciate I believe it is the duty of the Government to see that their officers are not only free from corruption but are even above suspicion. It is in the good name of the officers that the reputation of the Government lies. The acts done by the subordinate officers also go to condemn or enhance the reputation of the whole Government. Under these circumstances, Government cannot seek shelter in the fact that people do not supply evidence in these matters. In these matters, it is very difficult to get proper legal evidence. It is a matter for the head of the department to scrutinise and understand. Mr. Pitt and some others were suggesting that it may be bad for an honest officer to be dismissed on mere suspicion. It is not a question te be viewed from the standpoint of the officer above. It is a question of the reputation of Government as well as of the people. Even though an officer may be really honest and innocent, in the interests of the public, it may be more expedient to dispense with his services if he has earned a name for corruption. There is strong public opinion against some of the Registrars. It is only the Government that try to shelter them. This sort of attitude on the part of the official members may turn out to be an encouragement for the Sub-Registrars to continue in their present ways. I therefore suggest that the Government should take strong action in the matter and if they take action, it will not be difficult for them to find out the real culprits and punish them. It is not a matter in which they have to demand

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evidence from the people. It is their duty to collect evidence and do the needful. These are my remarks. I am now prepared to answer any questions which the Chief Secretary or the Law Member may be inclined to put.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Practically, there is an all round accusation against the Sub-Registrars, and most probably against their staff as well. Certainly, giving credit to the representation made at this Council by the various members, there is very good reason to believe that there is something rotten in the department.

MR. M. SIVATANU PILLAI (*Tovala*): Is it from the arguments put forward by other members that he is inferring or is it his personal experience?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): So far as my personal experience goes, I have only one instance (*laughter*), from the circumstances of which I am fairly in a position to say that some employees in the Registrar's office in a particular locality have misbehaved. (*Laughter.*) I have myself no direct knowledge of the matter, but the circumstances are pretty clear, since I had a hand in the transactions that gave occasion to the misconduct in question. It was when I happened to get a particular *udampadi* registered for a set of depressed classes. I believe it was rumoured in the village that I was paid very decently, so much so that, when the document was taken for registration, there was some trouble which had to be tided over by some usual, though not proper, methods. (*Laughter.*) Had it not been for my presence, the exaction would not have been so heavy. It was understood that I was paid very decently. If one person is paid decently, other persons must also be paid decently. That was the sort of logic. I had reasonable circumstances from which to come to the conclusion that something was done on that occasion. That was the single instance.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): What is the general public opinion in that matter?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That is very clear.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): What is the opinion of the people outside the House?

MR. P K. NARAYANA PILLAI (*Ambalapuzha*): I do not take into consideration that sort of public opinion. (*Laughter.*) Here we have got responsible gentlemen making representations on which I am prepared to act.

But the tackling of this particular problem is the question which is more important in the present instance. It was suggested, probably in the extreme despair,—that was the view of some of the gentlemen on this side—that evidence may be dispensed with in proceeding against persons the matter having become so rampant.

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MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Did anybody suggest that?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That exactly was what Mr. Joseph [suggested.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): I did not say so. What I said was that in all cases there may not be sufficient legal evidence.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): But you said public opinion may be relied on. (*Laughter.*)

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): I consider that sufficient to be acted on.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): There is the difference only in the meaning of the word "evidence".

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Does the member suggest that in these departmental enquiries all the provisions of the Evidence Act should be complied with?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): As regards departmental enquiries, certain rules are followed under the Departmental Enquiry Regulation. If they are adopted, I have no objection. They contain sound rules. If an enquiry is conducted under that particular Regulation, that cannot properly give room for any complaint. But to say that all rules should be forgotten when an enquiry is conducted, is going to extremes. There may be certainly black sheep in a department, but there may be the other variety also. Therefore, to proceed simply upon the strength of the clamour of the public is certainly not quite a justifiable procedure. My submission therefore is that the officer at the head of the department should make surprise visits and sudden enquiries at which results may be perceptibly obtained. It is the ability of the officer who is at the head that generally gives tone to the work of the department. Now, if the Government are satisfied they have done everything in this direction, then there is very little to suggest from this side of the House. The only other suggestion that may probably be offered is to authorise the heads of other departments also to make sudden surprise visits upon the Sub-Registrars and their staff.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): May I know whether local committees consisting of respectable people cannot be empowered to do this work?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): That is one method. If there are trustworthy men in a locality, they can be trusted to do this.

MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencotta*): Who is more responsible, the officer or the people?

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MR P. K. NARAYANA PILLAI (*Ambalapuzha*): On certain occasions the people cannot be held more responsible. The instance of the Nayar Regulation was illustrated by Messrs. T. Kumara Pillai and Kunjitomman. The Sub-Registrars have their own psychological moments. When fifty people have got to register a document and the agreement is there, then the people would give anything if their document is registered early.

MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencotta*): Is it the fault of the officer or the people?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): It is the fault of the officer.

MR. S. SUBRAHMANYA KARAYALAR (*Pattanapuram* cum *Shencotta*): But why should people offer money?

MR P. K. NARAYANA PILLAI (*Ambalapuzha*): Because they have to. Suppose a person is on his death-bed and he wants to transact business so as to leave something to his wife and children, then the Sub-Registrar becomes important. As the moment becomes critical you can see the importance of the Sub-Registrar going up. If he is so minded, he can delay the execution of the document. Probably the Sub-Registrar is not very highly paid. But, all the same, he acquires importance according to the situation. So, in such a situation, you cannot blame the people if they pay anything to get things managed Under such circumstances, the officer is mainly responsible for his misbehaviour. My own impression is that it is the departmental head and the inspecting agency who must be prepared to combat the evil. It is not sufficient if the head of the department sits in his office and attends to routine business. He should move among the people and understand the reputation of each Sub-Registrar, and by surprise visits he can learn a good deal of what takes place. That is the first step that should be attempted. If this is going to fail, then a change in the personnel of the departmental head will have to be tried. If it fails, then, the heads of other departments should be authorised to make surprise visits and to start prosecutions on such evidence as the police would be able to collect. Even if prosecutions are going to fail, they will have a healthy result. The guilty man who escapes will have to pay a very heavy fine to escape scot free from the trial.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Even the really innocent man may have to pay.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Yes, sometimes. It depends upon the circumstances.

If the officer is impressed with the need of a prosecution, he must start it. Even if ultimately he is only destined to failure, this procedure will have healthy results. These are the suggestions that I have to make. The matter appears to have assumed some proportion which requires the immediate attention of the Government.

MR. KURANDIPALLIL R. RAMAN PILLAI (*Quilon*): മറ്റ ഡിപ്പാർട്ട്മെന്റിൽ എന്നതു പോലെ സബ്രജിസ്ട്രാർ കച്ചേരികളിലും അഴിമതിവർദ്ധിച്ചു വരുന്നു എന്നുള്ളതിനു സംശയമില്ല. എന്നാൽ ഡിപ്പാർട്ട്

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[Mr. Kurandipallil R. Raman Pillai.]

മെൻറ മേലദ്ധ്യക്ഷന്മാരുടെ ഉടനടിയുള്ള പരിശോധന ഇതിനൊരുപരിഹാരമാർഗ്ഗമാണെന്നുള്ളതിൽ എനിക്ക് എതിരഭിപ്രായമാണുള്ളതു്. ഈ ഡിപ്പാർട്ടുമെൻറിലെ മേലുദ്യോഗസ്ഥന്മാർ സബ് രജിസ്ട്രാർമാരായിരുന്നു് കൈക്കൂലിവാങ്ങി നല്ല തഴക്കം വന്നിട്ടുള്ളവരാണു്. ഇങ്ങനെയുള്ളവർ ചെന്നുപരിശോധിച്ചാൽ കൈക്കൂലിക്കു് ഒരു കുറവും ഉണ്ടാകയില്ല. ഒരുദ്യോഗസ്ഥൻ കൈക്കൂലിക്കാരനാണെന്നു പരാതിവരുന്നു. അതിന്മേൽ മേലുദ്യോഗസ്ഥൻ പരിശോധിക്കുന്നു. ഈ പരിശോധനകഴിഞ്ഞതിനുശേഷം ആ ഉദ്യോഗസ്ഥൻ വലിയ അഴിമതിക്കാരനായിട്ടാണു തീരുന്നതു്. ഇതിനു കാരണം അയാൾ കൈക്കൂലിവാങ്ങിച്ചതിൻെറ ഒരു ഭാഗം പരിശോധിക്കാൻ പോകുന്ന ഉദ്യോഗസ്ഥനും മേടിക്കുന്നു എന്നുള്ളതാണു്. അതിനു പല ദൃഷ്ടാന്തങ്ങളും പറയാം. ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിൽ കമ്മീഷൻ റിപ്പോർട്ടുനടത്തുന്നവർ ഏതെങ്കിലും ഒരു കക്ഷിക്കു് അനുകൂലമായി കയ്യ ക്കൂലി വാങ്ങിക്കൊണ്ടു റിപ്പോർട്ടുകൊടുക്കുന്നു. ഇതിൽ ഒരു ഭാഗം അടുത്തമേലുദ്യോഗസ്ഥനു കൊടുക്കുന്നുണ്ടു്. ഇങ്ങിനെയാണു് ഇപ്പോഴും നടന്നുവരുന്നതു്. അതുകൊണ്ടു് മിസ്റർ പി. കെ. നാരായണപിള്ള അഭിപ്രായപ്പെട്ടതുപോലെ അതാതു ഡിപ്പാർട്ടുമെൻറിലെ മേലുദ്യോഗസ്ഥന്മാർ പരിശോധിക്കാൻ പോകുന്നതുകൊണ്ടു് ഒരു പ്രയോജനവുമില്ലെന്നാണു് എനിക്കു തോന്നുന്നതു്. എന്നാൽ ന്യൂസ് പേപ്പർ റഗുലേഷൻ പാസ്സാകുന്നതിനു മുമ്പു് ഈ അഴിമതിക്കു കുറച്ചു ഒരു കുറവുണ്ടായിരുന്നു. അതുകൊണ്ടു ന്യൂസ്പേപ്പർ റഗുലേഷൻ വേണ്ടെന്നു വയ്ക്കുന്നതു് ഇതിനൊരുപരിഹാരമാർഗ്ഗമാണു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ന്യൂസ്പേപ്പറിൽ തങ്ങളുടെ വർത്തയിൽ ഉള്ള കയ്ക്കൂലിവാങ്ങിക്കുന്ന ഉദ്യോഗസ്ഥന്മാരുടെ തെറ്റിനെ മറച്ചു മറുവർത്തയിൽപ്പെട്ട ഉദ്യോഗസ്ഥന്മാർവാങ്ങിക്കുന്നു എന്നു് അവലപിക്കാറില്ലേ?

MR. KURANDIPALLIL R. RAMAN PILLAI (*Quilon*): പത്രങ്ങൾ വർത്തകളെപറ്റിയല്ല പറയുന്നതു്; പൊതുവെ പറയുകയാണു ചെയ്യുന്നതു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): ചിലവർത്തക്കാരെ ആദരിച്ചും മറു ചില വർത്തക്കാരെ അനാദരിച്ചും പറയാറില്ലേ?

MR. KURANDIPALLIL R. RAMAN PILLAI (*Quilon*: എല്ലാവരേയുംപറ്റിപറയാറുണ്ടു്.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): എല്ലാപത്രങ്ങളുമങ്ങിനെയാണോ?

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MR. KURANDIPALLIL R. RAMAN PILLAI (*Quilon*): അതെ. അതു കൊണ്ടു് ഈ സബ്രജിസ്ട്രാർമാരെ പരിശോധിക്കുന്നതിനു മറ്റുഡിപ്പാർട്ടുമെൻറിലെ മേലദ്ധ്യക്ഷന്മാരേയോ ഒരു കമ്മറ്റി രൂപീകരിച്ചു അവരേയൊ, അതായതു സ്ഥലത്തുള്ള മാന്യന്മാരേയൊ ചുമതലപ്പെടുത്തിയാൽ മാത്രമേ ഇതിനുപരിഹാരം ഉണ്ടാകയൊള്ളൂ എന്ന അഭിപ്രായത്തോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): Sir, with regard to the subject, I beg to make a distinction. It has been stated from the Government benches that specific instances must be given as also convincing evidence. Sir, we are not urging here that any Sub-Registrar should be punished. If we did that, the Government benches are entitled to tell us that unless we prove any delinquency on the part of the gentlemen and prove it by legal evidence, they cannot interfere. Here, the general consensus of opinion seems to be that matters in the Registration Department are not after all satisfactory. I would ask you, Sir, is this not sufficient for the Government to concert measures to see whether this state of affairs could not be put a stop to. The question of legal evidence for proving a specific case, I submit, is irrelevant and out of the question. Here, there is a general complaint by responsible members of the Legislative Council, one and all I would say, urging upon the attention of the Government that something must be done with regard to the Sub-Registrars. The question has been asked: "What will the Government do ?" I think it is for the Government to concert measures. There is the Director of Registration who is well-experienced or who has at least some experience with regard to the working of the Registration Department and the rules that have to be enforced. He, in consultation with the Government, will be able to find out to see how the delinquent Sub-Registrars can be found out. We can only bring the state of affairs to the notice of the Government although some times we can also suggest measures. But it is not necessary that our complaints must always be followed by suggestions.

Another objection has been raised by the Chief Secretary that the people are at fault. No doubt, he is correct so far, but that is no reason for the Government to stop there. Even if the people are at fault partially, the Government must be alarmed, for that shows the standard of morality which has to be really improved. It is not the case of a few Sub-Registrars being at fault; but the whole country. The Government must therefore be more anxious to see that the standard of morality of the locality where this state of affairs prevails and of the Government officers are raised.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to add one word to this debate. I am perfectly at one with the members when they say that their words must be accepted

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[Mr. Kayalam Paramesvaran Pillai.]

when they state that there is a feeling that corruption is rampant in this department. But apart from the fact that there is an *impression* of the prevalence of corruption, is it right to go beyond and assert for a certainty that corruption is *really* prevalent? That is a matter that has to be strictly considered by every member.

The next question is what the specification is that the Government can take on hearing the criticisms here. Mr. Karayalar stated that it is impossible to give evidence in such cases and probably he is right. But what can the Government do without some clear and unambiguous evidence?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Is it the position of my friend that the Government cannot put down corruption in the case of these officers?

MR. K. SIVARAMA PANIKKAR (*Shertallai*): Do the Government admit that the Government are so weak as are not able to put down corruption that is so rampant in the State?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Government have already issued orders to the head of the department to inspect all the offices under him. The Government have passed laws and departmental rules for the punishment of delinquent officers. They can pass more rules and more stringent rules too if necessary.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഇതുപോലെ കാഞ്ഞാം കടലാസിൽ ഗവർണ്മെൻറു ചെയ്തിട്ടുള്ളതുകൊണ്ട് ഇനി ഇക്കാര്യത്തിൽ മൌനവ്രതം അനുഷ്ഠിക്കാമെന്നാണോ വിചാരിക്കുന്നത്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I don't say that at all. When there is only a general complaint all that the Government can do in the matter is still further to enforce these rules and issue instructions to the head of the department again that there is a complaint from responsible members of the Legislative Council that there is corruption and ask him to be still more strict and more vigilant in the administration of his department. Such general instructions can be issued by the Government to the head of the department and he can be asked to do his best. But if something definite is not forthcoming as to the particular method of corruption or as to the delinquent officer, what can the Government do? That is what I ask. They can only enforce the existing rules.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): Does the member admit that the rules are not properly enforced now?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The rules are properly enforced even now. But regard must be had to the fact that certain responsible members of the House have laid the charge on the floor of the House that the officers of the department are corrupt.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): May I know whether the Law Member is willing to change the rules?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot answer that question unless some definite suggestions are put forward.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether the member is willing to change the *personnel* of the department and appoint a superintending agency?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a matter entirely left to the discretion of the Government.

What I want to say is that if there is only a general complaint here, that complaint will be conveyed to the head of the department and if the Government feel that it is due to the slackness of the head of the department that the charge of corruption arises, Government may then take action thereon.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Does the member expect us to bring to this Council specific instances of corruption?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I will not go to that extent. Unless the suggestion is made directly that corruption is rampant, for a particular reason it seems to me that nothing specific can be done. As for the specific instances they need not be divulged here, but should be before the Government,

MR. K. SIVARAMA PANIKKAR (*Shertallai*): Does not the rule provide that the man who gives bribe will also be punished?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. The Penal Code provides that men who give bribes will be punished.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): So long as that rule is in force, does the member think that anybody will come forward saying that an officer received bribe?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That question does not arise in this debate.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): Does the member suggest that that rule must be altered?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not say so. If the House considers that it is on account of the existence of that rule that men are not forthcoming with the necessary evidence, then legislation has to be taken up in the matter.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): പൊതു ജനങ്ങൾ മുമ്പോട്ടുവന്നു ഒരുദ്യോഗസ്ഥൻ കയ്ക്കൂലി വാങ്ങിക്കുന്നതായി തെളിവോടുകൂടി ഗവർണ്മെൻറിന്റെ കയ്യിൽ സമർപ്പിക്കുമ്പോൾ ഈ അഴിമതി നിർത്താമെന്നാണോ പറയുന്നത്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not say that. If the member's point is that no officer is being punished, I reply that no evidence is forthcoming. If the complaint is only that, generally, corruption is rampant, then, I say, that Government have made rules and that they will be enforced.

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MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : ഒരു മജിസ്ട്രേട്ട് കയ്ക്കൂലി വാങ്ങിക്കുന്നു എന്നു പൊതു ജനങ്ങൾ ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിന്റെ മുമ്പാകെ മൊഴികൊടുക്കുന്നുവെങ്കിൽ അതുകൊണ്ടു ലാ മെംബർ തൃപ്തിപ്പെടുമോ ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That will depend upon the judgment of the District Magistrate who enquires into the case.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : That is not my point. ഒരു മജിസ്ട്രേട്ട് കയ്ക്കൂലി വാങ്ങിക്കുന്നു എന്നു ബോദ്ധ്യംവന്ന അളുകൾ ഡിസ്ട്രിക്ട മജിസ്ട്രേട്ടിന്റെ മുമ്പാകെ മൊഴി കൊടുത്താൽ അതും ശിക്ഷാർഹമല്ലെന്നു പറയുകയാണോ ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Not necessarily. That will all depend on the court. Courts have punished officers. Sometimes they have not punished. That will all depend on the evidence adduced.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : ഗവർമെന്റിന്റെമുമ്പാകെ ദുഷ്പ്രാന്തങ്ങൾ കൊണ്ടുവരുന്നതിനുള്ള മറുവഴികൾഎന്താണെന്നു ലാ മെംബർ പറഞ്ഞുതരുമോ ? കൈക്കൂലിക്കാരനാണെന്നുബോദ്ധ്യമുള്ള ഒരുദ്യോഗസ്ഥന്റെ പേരിൽ എങ്ങിനെയാണു് തെളിവു കൊണ്ടുവരേണ്ടതെന്നുള്ള വഴി ലാ മെംബർ പറഞ്ഞുതന്നാൽ ഇനിമുതൽ ജനപ്രതിനിധികൾ ആ വഴിയെ അനുകരിക്കാം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : My point is that if the complaint is that the officers are not actually punished, I say that it cannot be done without sufficient evidence.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Is it the position of the Law Member that there is no corruption among the officers ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not say anything about that.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Then what is his position ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If the complaint is that the Government are not *punishing* any particular officers, then I say that there is no clear evidence against them. If the complaint is but general that there is corruption, then I say that Government have framed rules to check corruption and it is not shown that they are defective.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Is the member satisfied with the present system of inspection ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am not speaking for the department.

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MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : How does he account for the fact that evidence is not forthcoming?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It may be because there is no corruption at all. I am not now speaking of the Registration Department. I am only speaking about the general aspect of the question.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : What does he say about the general feeling among the members of this House?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am prepared to take it that the feeling is honest.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : If so, is there not a duty on the part of the Government to enquire into the question of changing the present rules?

MR. A. K. PILLAI (*Karunagapalli*) : In view of the charges against the Sub-Registrars, will the Government consider it advisable to appoint a committee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That must be raised in a special debate.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : ഇപ്പോഴാം രാഷ്ട്രീയപോലീസുള്ളതുപോലെ ഉദ്യോഗസ്ഥന്മാരുടെ കൈക്കുറ്റിയെപ്പറ്റി അന്വേഷിക്കാൻ ഒരു പ്രത്യേക വകുപ്പ് ഗവർമെണ്ടിന്റെ കീഴിൽ വച്ചാൽ എന്താണ്?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That also must come in as a separate motion and it has to be considered in all its aspects.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*): I am very glad to find that the non-official members of this House have on this question presented a united front. (Mr. W. H. Pitt : *Hear, hear.*) Most of the arguments brought forward by the official members have been ably examined and exposed by the members on the non-official side. So, I have very little to say. Certain large questions of administrative policy have also been introduced in the course of the discussion. So, I would like to deal briefly with some of those points only. The first thing that I have to say is that the Government should not adopt a step-motherly attitude towards the representatives of the people and a motherly attitude towards the erring officials. From some of the arguments which have been put forward by the official side, I have strong reasons to think that the people are more or less treated in a step-motherly manner while the officials are treated in a motherly fashion. (Mr. W. H. Pitt: *exactly so.*) (*Laughter.*) Of course, the official members and some of the non-official members expressed very great sympathy for officials. Why should not they look at the other side of the question also. The number of sufferers from the irregularities of officials is far greater than the number who get justice at their hands.

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[Mr. G. Raman Menon.]

Of course, the official has to be a little bit thick-skinned and be prepared for being found fault with by the representatives of the people if his work is not satisfactory.

Another aspect implied in this question is that the officials are primarily for the convenience of the public and not the public for the convenience of the officials. So, if there is a strong public opinion that a certain officer is not doing his work properly, then I think the presumption should be against that officer. It may be a question whether there is a strong opinion or not. But once it is proved, the Government should presume in favour of the public rather than in favour of the official. Of course, all this necessity for hair-splitting arguments comes in because the Government here is not responsible to the representatives of the people. Otherwise, there would have been no step-motherly treatment on the part of the Government. That is a larger question with which I propose to deal with when the General Administration comes up for discussion.

Another point that I have to deal with is the connection between nepotism and favouritism in appointments and corruption on the part of the officials. There is a general saying in Malayalam which contains a large amount of homely wisdom. It runs as follows:—കൈക്കൂലി കൊടുത്തവൻ കൈക്കൂലിവാങ്ങും. So, if an officer has risen to his position by giving bribes or by unfair means, he is also likely to follow the same methods in his official dealings. So, what I wish to emphasise is that the Government should not give room for such things. That is why I said the passing over the claims of persons in the department in favour of new persons has a very demoralising effect on the department as well as upon the public at large. So, strict justice should be enforced by the Government in that matter. This is a matter in which the Government can act.

Suggestions were asked for and I think there are several suggestions which we can make and some have already been made. One thing is that wherever the Government are convinced that injustice has been done, they should put it down with a strong hand and should not be motherly towards officials, but they should be motherly towards people who are the real supporters of the Government. That is the main point.

As regards the fees for the registration of documents at residences, it has been more or less conceded that no additional work is thrown upon the Sub-Registrar. Suppose my sister, niece, mother and myself have to register a document and I have the Sub-Registrar brought to my house. There the execution by the ladies of the house is done and I ask why I should be made to run up to the Sub-Registrar's office or to pay. I think it is also a waste of time to the Sub-Registrar. Of course, he will find it easier to do the work at once than to do it on two occassions. So, the object of the Government is to squeeze as much money from the people as possible. I think that the rule about fees for registration at residence should be restored to what it was in former days.

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MR. K. GEORGE (*Chief Secretary to Government*): Sir, a very lurid picture has been drawn in this House about the vagaries and irregularities of the Sub-Registrars of the State. The Government are certainly at one with the non-official members in the matter of putting down corruption. As regards the absolute necessity for maintaining the purity of the service, there is no difference of opinion at all.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഇതു വെറും മധുരവാക്കല്ലയോ?

MR. K. GEORGE (*Chief Secretary to Government*): ഞാൻ മുഴുവനും പറഞ്ഞുതീരട്ടെ. Even from the speeches on the other side of the House, various aspects of the question which are as difficult of handling have been expressed by the speakers. Now, the first question is: Can the Government act on the *general impression* that there is corruption or that a particular officer is corrupt?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): They may test by their own investigations.

MR. K. GEORGE (*Chief Secretary to Government*): I say not against any particular officer. What I say is that I do not accept that any particular officer should be charged with corruption because a statement has been made by certain persons that he is corrupt.

MR. KURANDIPALLIL R. RAMAN PILLAI (*Quilon*): കറപ്ഷൻ ഉണ്ടെന്നു ചീഫ് സിക്രട്ടറിക്ക് ഇപ്പോഴും ബോദ്ധ്യംവന്നോ ?

MR. K. GEORGE (*Chief Secretary to Government*): I accept the statements made by the responsible members of this House. But I am speaking of the very great difficulty of the Government. It is only today that the House has focussed its attention to the state of affairs in the Registration Department. But to take general action, simply because there is a general rumour that a certain individual is corrupt, is a very dangerous thing to do.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): Is it not a difficulty for which a solution has to be sought?

MR. K. GEORGE (*Chief Secretary to Government*): We are all attempting a solution.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): Does the member say that, for all these years, the attempt has not been successful?

MR. K. GEORGE (*Chief Secretary to Government*): An attempt will never completely succeed, for all the officers of the State will not be absolutely pure for all time.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): പബ്ലിക്ക് സർവീസിൽ ആണ്ടിൽ ഒരു കൈക്കൂലിക്കാരൻ വീതമെങ്കിലും കേറുന്നതായാൽപോലും ജനങ്ങൾക്കു സമാധാനം വരുമെന്നാണു എനിക്കു തോന്നുന്നതു്.

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MR. K. GEORGE (*Chief Secretary to Government*): The difficulty in dealing with the matter is this. There is the official side which has to be considered.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): കയ്ക്കൂലിവാങ്ങിച്ചതിനു കഴിഞ്ഞ പത്തുകൊല്ലത്തിനകം എത്രപേരെ ഗവർമെൻറിൽനിന്നും ശിക്ഷിച്ചിട്ടുണ്ട് ?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot give statistics, but I know people have been punished.

MR. M. SIVATANU PILLAI (*Tovala*): Will the Government make it a point from this time forward to ask every officer whose conduct has been impugned to prosecute invariably at once such newspapers that are making that allegation, at the same time the Government being neutral, and to compensate him if he comes out successful?

MR. K. GEORGE (*Chief Secretary to Government*): That will be very dangerous. Sir, I should like to be allowed to continue my speech without constant interruption. I am prepared to answer questions after my speech. My point is this. A rumour is set afloat about a particular officer. In the beginning it will be like a small trickling stream. As it proceeds, it gathers force; whispers are repeated and then the rumour gains currency. No officer will be safe against such rumours and the Government will not be justified in taking action against such officers based purly on such rumours.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Should not Government make a closer scrutiny in the case of such officers?

MR. K. GEORGE (*Chief Secretary to Government*): Certainly they do. That is one difficulty. The rumour my be absolutely baseless. It may be based on prejudice, partiality and all sorts of things.

When I was speaking on the previous occasion, I said that the people should not give bribes. Of course, that is the statement which is idealy correct. But I admit there are difficulties. Just as water does not rise above the level of its source, the level of morality of the officers may not be expected to rise far above the general level of public morality in the State.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether the Government have punished officers for corruption?

MR. K. GEORGE (*Chief Secretary to Government*): I would not mention names. But there are instances.

MR. M. SIVATANU PILLAI (*Tovala*): Is it because of the sort of atmosphere around them that the officers are corrupt?

MR. K. GEORGE (*Chief Secretary to Government*): I say that the responsibility for corruption on the part of officers, as Mr. A K. Pillai put it, is mainly due to the standard of morality among ourselves.

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MR. T. J. MATTHEW (*Changanachery* cum *Peermade*): Is it a reason for not putting a stop to it?

MR. K. GEORGE (*Chief Secretary to Government*): No, no, corruption must be put down.

MR. M. SIVATANU PILLAI (*Tovala*): Will the Government adopt a policy of inviting people who do not come in that line and appoint them as officers?

MR. K. GEORGE (*Chief Secretary to Government*): I say it must be by education, by the creation of a sane and healthy public opinion that corruption must disappear. It is these that will put down corruption and Government will certainly co-operate to do what they can in the matter. Mr. C. P. Kochukunju Pillai and many others said that they have come across instances. But it has been unfortunate that when a specific enquiry is made, as Mr. C. P. Kochukunju Pillai himself admits, those persons who preferred a omplaint back out and so no co mplaint can be proved against those individuals about whom the complaint is made. I am not one of those who would say that a man should be punished simply because some person has made a charge against him.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Could it not be the fault of the officer himself?

MR. K. GEORGE (*Chief Secretary to Government*): Certainly, if the people have not got the courge and the public spirit to come forward, the enquiry must of course fail.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഇതിനെല്ലാം വിപരീതമായിട്ട് നിയമം ഗവർമെൻറിൽ നിന്നും ഉണ്ടാക്കി വച്ചിരിക്കുന്നതുകൊണ്ട് ജനങ്ങൾ മുമ്പോട്ടുവന്ന് എങ്ങിനെ ഈ കാര്യംപറയും?

MR. K. GEORGE (*Chief Secretary to Government*): I am not going to discuss the principles of that law here.

MR. M. SIVATANU PILLAI (*Tovala*): May I understand that the member's position is this: As are the people, so will be the Government?

MR. K. GEORGE (*Chief Secretary to Government*): That is a fact.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Is it not the business of the Government to invite confidential reports from he heads of departments about the subordinate officers?

MR. K. GEORGE (*Chief Secretary to Government*): I do not hear the member.

PRESIDENT: What the member wants to know is whether the Government are getting confidential reports about their officers.

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Do they act upon those reports?

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MR. K. GEORGE (*Chief Secretary to Government*): Yes, in connection with the departmental promotions and things like that.

Then I believe some member said that the test of finding out whether an officer is corrupt is to make an investigation into his private affairs and his earnings. To some extent, it may be effectual. But that would not be a guide or a real test, because a man may inherit property from his ancestors.

MR. T. KUMARA PILLAI (*Kalkulam cum Vilavankod*): പൂർവ്വികസമ്പാദ്യമൊന്നുമില്ലാത്തവർക്ക് കൂടുതൽ സമ്പാദ്യം ഉണ്ടെങ്കിൽ വിശ്വസിക്കരുതോ?

MR. K. GEORGE (*Chief Secretary to Government*): A man may invest moneys in proper ways and get income out of that. So that is not a very satisfactory way of finding out whether an officer is corrupt.

MR. C. P. THOMAS (*Nominated*): May I know whether it is not one of the ways?

MR. K. GEORGE (*Chief Secretary to Government*): Yes.

MR. C. P. THOMAS (*Nominated*): May I know whether there is any system by which such information is gathered and recorded?

MR. K. GEORGE (*Chief Secretary to Government*): Government get annual returns of properties acquired. Mr. Sivatanu Pillai made a suggestion in respect to putting down corruption. He said that a circular may be issued that rewards will be given to officers in accordance with the number of cases detected. I think there can be nothing more dangerous than that.

MR. M. SIVATANU PILLAI (*Tovala*): Is it not done in the Excise Department?

MR. K. GEORGE (*Chief Secretary to Government*): This is not the Excise Department, but this is the Registration Department.

MR. M. SIVATANU PILLAI (*Tovala*): Am I to understand that the Chief Secretary does not accept the position that corruption in this department has gone to such an extent as to warrant such a remedy to be applied?

MR. K. GEORGE (*Chief Secretary to Government*): I cannot accept that position. We cannot invite complaints against subordinates from their superior officers and pay them at a rateable scale. (*Laughter.*)

MR. M. SIVATANU PILLAI (*Tovala*): May I tell the member that people coming from the different parts of the State are making the same allegations against the Sub-Registrars as a class?

MR. K. GEORGE (*Chief Secretary to Government*): Therefore the Government propose to take some action upon that. I was only saying that the remedy suggested will be worse than the evil. As it will lead to sacrifice of innocent men, I say a circular inviting complaints against Sub-Registrars will be a very improper step.

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MR. M. SIVATANU PILLAI (*Tovala*): Is it not better that one innocent person is punished along with others?

MR. K. GEORGE (*Chief Secretary to Government*): No.

MR. K. SIVARAMA PANIKKAR (*Shertallai*): May I know whether the Excise Commissioner was able to detect a few cases and punish them?

MR. K. GEORGE (*Chief Secretary to Government*): That is a department that deals with detection of illicit cases.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Is it against the subordinates of the department that the detections are carried on?

MR. K. GEORGE (*Chief Secretary to Government*): It is not against the subordinates of the departmont and so there is a great deal of difference.

MR. M. SIVATANU PILLAI (*Tovala*): What does the member say about my suggestion to direct the head of the department or the District Registrars to go to several Sub-Registry offices, making sudden and unexpected visits and, if possible, *incognito*?

MR. K. GEORGE (*Chief Secretary to Government*): So far as the inspection of these officers *incognito*, I say nobody will allow a stranger to inspect the records of an office. As regards the other suggestion, *viz.* to pay unexpected visits to these offices, I think it is a good suggestion and can be considered.

MR. A. J. JOHN (*Vaikam*): What about the remedy suggested by Mr. Kunjtomman?

MR. K. GEORGE (*Chief Secretary to Government*): That does not arise in this particular instance.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnattur*): Supposing that from the confidential report of the head of a department a subordinate officer under him is noted to be corrupt, is that officer liable to punishment?

MR. K. GEORGE (*Chief Secretary to Government*): That officer is not liable to punishment. That officer's conduct will be noted and in cases when promotions come, that will be taken into consideration. A man cannot be punished, everybody admits, without some evidence. But if there is a specific charge of corruption, of course, the officer will be punished.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): In cases where there is general public opinion against an officer?

MR. K. GEORGE (*Chief Secretary to Government*): What does he mean by public opinion? How is it to be ascertained?

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Suppose in the case of a particular officer in a certain locality, several people of that locality put in petitions against him, and the inspecting officer also puts in general allegations against him without proving any specific case, will the Government punish him?

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MR. K. GEORGE (*Chief Secretary to Government*): It is a hypothetical case with which I have not come across.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Am I to understand that because it is a hypothetical question, he does not answer it?

MR. K. GEORGE (*Chief Secretary to Government*): Such a case might happen or might not happen.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): Am I to understand that he refuses to answer because it is a hypothetical question?

MR. K. GEORGE (*Chief Secretary to Government*): No, I did not refuse to answer.

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*): My question was this. Suppose, in the case of a particular officer, several people of the locality put in petitions against him to the Government and the inspecting officer also puts in general allegations against him. In such a case, is it not proper to ask that officer to justify his position at least for purposes of promotion?

MR. K. GEORGE (*Chief Secretary to Government*): That man is entitled to explain before his promotion is overlooked.

I have said that very often enquiries have to be made in the Registration Department when complaints have come and those enquiries have failed because of the want of co-operation on the part of the public. I might say that often the Government are more anxious to put down corruption than the members of the public. I can cite an illustration. There was, in a particular municipality, an officer who was charged with misappropriation of public funds and it was proved against him. The President of that municipality dispensed with his services. But the council resolved to reinstate him on the very curious ground that in that way they can recover the amount misappropriated. Certainly, that does not indicate the right attitude on the part of the public. I should think that the public are not actively co-operating in this matter.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): ഇന്നസബ് രജിസ്ട്രാർ ഇന്നഉടമ്പടി രജിസ്ട്രാക്കുന്നതിന് ഇത്രരൂപാ കയ്ക്കൂലി വാങ്ങി എന്നെനിക്കറിയാം. അതിലേക്കു ഞാൻ എന്തുചെയ്യണമെന്നു പറഞ്ഞുതരുമോ?

MR. K. GEORGE (*Chief Secretary to Government*): Certainly, a man of Mr. Kumara Pillai's position can address the Government confidentially.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*): രഹസ്യമായിട്ട് എഴുതിഅയക്കണമെന്നു പറയുന്നതിന്റെ ഉദ്ദേശമെന്താണു?

MR. K. GEORGE (*Chief Secretary to Government*): The Government can make private enquiries about the man and Government can direct the Director of Registration to watch the man.

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MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : പത്തു പതിനായിരം വോട്ടറന്മാർ തിരഞ്ഞെടുത്തയച്ച പ്രതിപുരുഷന്മാരിൽ രണ്ടുപേർ അസിസ്റ്റൻറ്എക്സൈസ് കമ്മീഷണർ താമരക്കുളത്തു താമസിക്കുന്നില്ലെന്നുപറയുന്നു. എന്നാൽ ആ ഡിപ്പാർട്ട്മെൻറ് മേലുദ്യോഗസ്ഥൻ അസിസ്റ്റൻറ് കമ്മീഷണർ അവിടെത്തന്നെ താമസിക്കുന്നു എന്നു പറയുന്നു. ഇതിൽ ഡിപ്പാർട്ടുമെൻറുമേലദ്ധ്യക്ഷന്റെ അഭിപ്രായത്തോട് ഗവണ്മെൻറ് യോജിക്കയും സമ്മതിക്കയും ചെയ്യുന്നു. ഈ സ്ഥിതിയിൽ ജനപ്രതിനിധികർം ഗവർണ്മെൻറിനെ രഹസ്യമായി ഈ കാര്യങ്ങം അറിയിക്കുന്നതിൽ എന്തു പ്രയോജനമാണുണ്ടാകുന്നതെന്നറിയുന്നില്ല.

MR. K. GEORGE (*Chief Secretary to Government*) : Mr. Sivatanu Pillai having come across a distinct case of corruption would have done very well to have brought it to the notice of the Government.

MR. T. KUMARA PILLAI (*Kalkulam* cum *Vilavankod*) : മിസ്റ്റർ ശിവതാണുപിള്ളയെക്കാൾ എനിക്കറിയാം. പറയുന്നതുകൊണ്ട് എന്തു പ്രയോജനമാണുള്ളതു് ?

MR. K. I. JOSEPH (*Minachil* cum *Devicolam*) : Does not the Chief Secretary think that in the light of the statements made by Mr. Kumara Pillai there is a duty on the part of the Government to ask for necessary information from Mr. Kumara Pillai ?

MR. K. GEORGE (*Chief Secretary to Government*) : The Government are prepared to send the discussion on the subject to the Director of Registration and point out to him the sense of the House in the matter.

MR. K. SIVARAMA PANIKKAR (*Shertallai*) : Does the Chief Secretary remember that a distinct case of corruption in the case of a *Proverthikar* was recently pointed out to the Land Revenue Commissioner who said that it was pending action ?

MR. K. GEORGE (*Chief Secretary to Government*) : Action will be taken upon all that has been said in this House.

MR. A. K. PILLAI (*Karunagapalli*) : What does he say with regard to the charge of nepotism in the department ?

MR. K. GEORGE (*Chief Secretary to Government*) : I am not in possession of figures.

MR. A. K. PILLAI (*Karunagapalli*) : I have got facts and figures with me to show that there is a regular nepotism obtaining in the department. I do not propose to discuss it here. I have got a list here to prove it and I will pass it on to the Chief Secretary.

MR. K. GEORGE (*Chief Secretary to Government*) : I thank him.

The Council adjourned at 5·24 P. M.

N. NILACANTA PILLAI,
Secretary to the Legislative Council.

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